



Undergraduate History Journal at Illinois

Fall 2023: Volume 3,
Issue 1



Contents

Contents	2
About the Journal	3
Acknowledgements	3
The Executive Board	4
Historicizing the Failed Coup Attempt in Brazil	
James Perkovich (University of Illinois Urbana-Champaign).....	5
Secret Rules: The Politics and Strategy of Russian Extraterritoriality in China	
Stella D'Acquisto (University of Wisconsin-Madison).....	23
Interwar Gun Control: A Feigned Consensus	
Noah Yeager (University of Illinois Urbana-Champaign).....	34
“Semblance of a Sabbath”: The Complex Relationship of Christianity and Slavery in the British Empire	
Grace Burrus (University of Illinois Urbana-Champaign).....	52

About the Journal

The Undergraduate History Journal at Illinois is a peer-reviewed, double blind, history research publication, run by students at the University of Illinois Urbana-Champaign, that strives to provide undergraduate students with the opportunity to share their research and gain exposure for their writing. The journal is committed to high standards of writing, a broad sampling of areas of research, and the integrity of academic research.

The journal is double-blind peer reviewed by a group of student editors. Once submissions are chosen, they are reviewed multiple times by our teams of editors, before being published in one of our biannual issues.

Acknowledgements

The journal would like to thank its authors for their work, our hard working editors for their tireless efforts to continue to push the journal towards higher standards of quality and output, the University of Illinois history professors and faculty for their advice and dedication to academic study, our undergraduate advisor Stefan Djordjevic for his plentiful advice and support, and librarian and professor Merinda Hensley for her enthusiasm towards the journal and her efforts to support the journal's publication.

The Executive Board

Justin Wytmar - *President*

Katelyn Barbour - *Vice President*

Will Doty - *Publication Director*

Leo Macksey - *Secretary*

Chris Gimbel - *Membership Director*

Michael Shirley - *Social Media Officer*

Historicizing the Failed Coup Attempt in Brazil

James Perkovich - University of Illinois Urbana-Champaign

On January 8, 2023, thousands of supporters of the former President Jair Bolsonaro stormed the Presidential Palace, Supreme Court, and Congress in Brazil's capital, Brasília.¹ Many people in Brazil recognized the attack as an attempt to inspire a military coup and labeled those involved *golpistas*, a term used to describe the people who carry out a coup.² The *golpistas* were trying to force the military to overturn the election of President Luiz Inácio Lula da Silva, the face of Brazil's progressive Worker's Party, who won a third presidential term in the 2022 election. Bolsonaro began spreading lies about Brazil's voting system and the election results even before he officially lost the election, leading many of his supporters to camp outside military bases for weeks before January 8.³ Bolsonaro left Brazil for Florida without officially conceding defeat, and on the next day, January 1, President Lula, as he is popularly known, was inaugurated.⁴

The *golpistas* attempted to incite a military coup because of their hatred for Lula, their frustration with democracy, and their belief in Bolsonaro. The *golpistas* believed that a violent and chaotic attack on the capitol would force the military to restore Bolsonaro to power and oust President Lula.⁵ On January 8, the *golpistas* pushed past police barricades and ransacked the mostly empty government buildings. They destroyed art, looted offices, and even lit fires while

¹ Daniel Modesto and Arizbeth Rojas, "Brazilian Students, Professors React to Jan. 8 Insurrection on Democracy in Brasília," *The Dartmouth*, January 24, 2023, <https://www.thedartmouth.com/article/2023/01/brazilian-students-professors-react-to-jan-8-insurrection-on-democracy-in-braslia>.

² Marc Hertzman, "History in Real Time" (PowerPoint Presentation, History 405, University of Illinois at Urbana-Champaign, Urbana, IL, January 25, 2023).

³ Jack Nicas and André Spigariol, "Bolsonaro Supporters Lay Siege to Brazil's Capital," *The New York Times*, January 8, 2023, <https://www.nytimes.com/2023/01/08/world/americas/brazil-election-protests-bolsonaro.html?searchResultPosition=12>.

⁴ Modesto and Rojas, "Brazilian Students."

⁵ Phil Ciciora, "What Led to the Attempted Coup in Brazil, What Comes Next," *Illinois News Bureau*, January 19, 2023, <https://news.illinois.edu/view/6367/1608468847>.

waving flags of the current Brazilian Republic, which they were revolting against, and the Brazilian empire, which governed Brazil and upheld the institution of slavery during most of the nineteenth century. President Lula enacted an emergency decree, and by the evening of January 8, federal troops cleared the buildings and arrested hundreds of golpistas.⁶

In the days after January 8, many U.S. based news outlets made sense of the attempted coup by comparing it to the insurrection at the U.S. capitol on January 6, 2021. This comparison can be helpful and revealing in some ways, but it can also conceal many events in Brazilian history that inspired the attempted coup. Numerous commentators have explained the attempted coup in Brazil as originating from the capitol insurrection and argue that the insurrection is the principle historical precedent for the events in Brazil. *Time* reporter Philip Elliot, for example, writes that there were “more than a few echoes of America’s darkest day for democracy” in Brazil on January 8. Based on the similarities between January 8 and January 6, Elliot argues that the attempted coup in Brazil is rooted in the storming of the American capitol in 2021. Elliot goes on to say that “it’s tough to argue that this was impossible to predict. Bolsonaro refused to concede or attend Lula’s inauguration, much as Trump refused to attend Joe Biden’s festivities. Bolsonaro riled up his people with the same fervor as Trump . . . It was as if Brazil watched the Jan. 6 mob and copied it with impunity.”⁷ In an article for *ABC News*, Meredith Deliso also uses this comparison to claim that it was the U.S., not Brazilian political or historical actors, that had the most influence on the attempted coup in Brazil. She quotes a brief from the Soufan Center, which states, “Ironically, the United States, historically known for exporting democracy, is now associated with developing the playbook for dictators and strongmen to use to sow doubt about democratic elections, while simultaneously offering a blueprint for authoritarian leaders to seize

⁶ Nicas and Spigariol, “Bolsonaro Supporters.”

⁷ Philip Elliot, “Brazil Attack Reveals Trump’s Insurrections Strategy Is Now a Blueprint,” *Time*, January 9, 2023, <https://time.com/6245824/brazil-attack-trump-insurrection-strategy/>.

power by force.”⁸ By characterizing the U.S. capitol insurrection as the nation’s new political export, this quote reinforces the idea that the capitol insurrection offers the best explanation for the attempted coup. Finally, J.P. Carroll uses strikingly similar language: “just like the U.S. exported the belief in democratic values during the cold war, now, sadly, it is also showing the world how to challenge free and fair elections.”⁹ A deeper look into Brazilian history refutes not only the idea that the U.S. simply exported democracy during the Cold War, but also that the capitol insurrection is the main piece of historical context needed to explain the attempted coup in Brazil.

Other political commentators have reached further back into history to explain the attempted coup. For example, Yascha Mounk, a journalist for *The Atlantic*, writes that even though the two attacks were similar, January 8 was not “simply a matter of one would-be dictator imitating another.” Instead, Mounk explains January 8 as the consequence of the rise in populism in democracies across the world in the past decade.¹⁰ Kenichi Serino uses even more history to explain January 8 by beginning his explanation with the Brazilian military coup of 1964 that led to twenty-one years of dictatorship. Serino argues that Bolsonaro’s nostalgia for the dictatorship incited the anti-democratic sentiments of January 8.¹¹ But even these attempts do not go far enough to reach a more complete understanding of the attempted coup on January 8, 2023.

The comparison between January 6 in the U.S. and January 8 in Brazil obscures two major themes of January 8 that allude to the influence of a deeper Brazilian history. The first is

⁸ Meredith Deliso, “Did the Jan. 6 Attack Lay the Blueprint for Brazil’s Insurrection,” *ABC News*, January 12, 2023, <https://abcnews.go.com/International/jan-6-attack-lay-blueprint-brazils-insurrection/story?id=96312273>.

⁹ J.P. Carroll, “Brazil’s Jan. 8 Is the Inevitable Consequence of Jan. 6,” *The Hill*, January 11, 2023, <https://thehill.com/opinion/international/3809040-brazils-jan-8-is-the-inevitable-consequence-of-jan-6/>.

¹⁰ Yascha Mounk, “Brazil’s ‘January 6 Moment’ is a Warning,” *The Atlantic*, January 9, 2023, <https://www.theatlantic.com/ideas/archive/2023/01/brazil-jair-bolsonaro-lula-january-6-riot-populism/672678/>.

¹¹ Kenichi Serino, “Here’s What’s Different About the Brazil Attack Compared to Jan. 6,” *PBS News Hour*, January 11, 2023, <https://www.pbs.org/newshour/world/what-the-attack-in-brazil-says-about-far-right-movements-around-the-world>.

the role of the military and why the golpistas wanted the military to intervene. Second is the presence of Brazil's imperial flag and why this imperial symbol would be used in the attempted coup. A historical perspective is useful in explaining the deeper influences of January 8 because the Brazilian military's rhetoric and acts of enforced order, which began in the colonial era, have justified the suppression of supposedly disordered figures, communities, and political parties. This history shaped one of the ideas implicit in January 8 — that only the military could restore an orderly society. Furthermore, the fusing of national identity with White supremacy during Brazil's empire created a narrative that the golpistas could mobilize, in the form of the imperial flag, in favor of Bolsonaro and against recent political movements and progressive politicians like Lula. These two historical themes of January 8 force us to use more history in thinking about the attempted coup than the U.S. comparison allows. Therefore, the first step towards re-explaining the attempted coup is to understand Brazil's current political moment within the framework of democratic decay rather than a framework limited to Trump's influence, January 6, and a global rise in authoritarianism over the past decade.

The Rise of Authoritarianism

January 8 was not just a symptom of Bolsonaro mirroring Trump or a global rise in populism, but rather a reflection of deeper, substantive changes in Brazil's political environment. Since 2013, Brazil's political system has experienced what Tom Daly calls "democratic decay."¹² Daly defines democratic decay as "the incremental degradation of the structures and substance of liberal constitutional democracy," but the term "substance" is most helpful when trying to understand how democratic decay has led to the obvious authoritarianism in Brazil.¹³ The

¹² Tom Daly, "Populism, Public Law, and Democratic Decay in Brazil: Understanding the Rise of Jair Bolsonaro," *Law and Ethics of Humans Rights Journal* (January 2019): 8-11.

¹³ Daly, "Populism, Public Law, and Democratic Decay," 4.

substance of liberal constitutional democracy refers to “the norms of democratic governance, including public faith in democratic rule and the willingness of political actors to play by the rules of the game and to act in the public interest.”¹⁴ In Brazil, as faith in democracy fell to new lows, authoritarianism gained greater legitimacy. I will be defining authoritarianism as an anti-democratic system of politics with an institution or leader that is responsible for maintaining a social order and expelling threats to that order. Based on these understandings, the Free Fare Movement in 2013 was the first major degradation of the substance of Brazil’s post-dictatorship democracy— i.e. democratic norms and faith in democracy— and step towards authoritarianism. This degradation continued with a recession in 2014, the *Lava Jato* scandal, the impeachment of President Dilma Rousseff, the 2018 election cycle, and finally, the attempted coup in 2023. January 8 represents the focal point of Brazil’s democratic decay because of its inherent acceptance of authoritarianism and Bolsonaro and the military as authoritarian leaders. Through this framework, it becomes clear that democratic decay and the resulting rise in authoritarianism have shaped Brazil’s current political context, rather than January 6 and the exportation of U.S. political dynamics to Brazil after 2021.

Daly’s perspective is crucial to understanding January 8 because it adds more nuance to the discussion than explanations of the attempted coup that regard it as Bolsonaro’s attempt to copy Donald Trump’s political playbook or the monolithic rise of populism in democracies around the world. Daly argues that Brazil’s political vulnerability predates Bolsonaro and Trump by citing Brazil’s contentious political history, constitutional weaknesses, and even the political dominance of the Worker’s Party in the 2000s. He also clarifies that the rise in authoritarianism

¹⁴ Daly, “Populism, Public Law, and Democratic Decay,” 5.

in Brazil has taken on a specific form that is unique to Brazil's historical context and cannot simply be lumped together with the likes of Hungary, Venezuela, or the United States.¹⁵

The first major example of declining faith in the post-dictatorship democracy took place in early June of 2013 when the left wing, non-party affiliated, Free Fare Movement coordinated a large public demonstration in São Paulo to protest the twenty-cent increase in public transportation fares. These protests quickly spread across the country and attracted over one million people in about two weeks. As the protests became more mainstream, they were co-opted by a wide range of seemingly opposed ideas and groups of people and devolved into mob demonstrations with the main goal of venting frustration. The Free Fare Movement became more about attacking the Worker's Party, President Rousseff, and the inefficiency of democratic government than addressing social inequality and problems with public institutions.¹⁶ Trust in democracy eroded even further in 2014 as Brazil experienced its worst recession in history, and the Lava Jato scandal exposed corruption and bribery in many of Brazil's most important political parties.¹⁷ The Lava Jato scandal directed public ire towards established parties, like the Worker's Party, and fueled the impeachment crisis that ousted Brazil's first female president.

The highly contested impeachment of President Dilma Rousseff was a major attack on the structures and substance of Brazilian democracy. Lula picked Rousseff as his successor and the new face of the Worker's Party near the end of his second term in office. She was elected President in 2010 and won a narrow victory for re-election in 2014. However, in 2015, the President of the Chamber of Deputies, Eduardo Cunha, approved Rousseff's impeachment on the grounds that her administration manipulated budget accounts to cover up deficits.¹⁸ Supporters of

¹⁵ Daly, "Populism, Public Law, and Democratic Decay," 4-14.

¹⁶ Alfredo Saad Filho, "The Mass Protests in Brazil in June-July 2013," *Global Research: Center for Research on Globalization*, July 14, 2014, <https://www.globalresearch.ca/the-mass-protests-in-brazil-in-june-july-2013/5342736>.

¹⁷ Wendy Hunter and Timothy J. Power, "Bolsonaro and Brazil's Illiberal Backlash," *Journal of Democracy* 30, no. 1 (January 2019): 69-73, <https://doi.org/10.1353/jod.2019.0005>.

¹⁸ Daly, "Populism, Public Law, and Democratic Decay," 9-12.

Rousseff strongly rejected the impeachment process because the previous two presidents, who were charged with the same crimes, were never impeached. Rousseff's supporters also questioned the impeachment because Cunha and Michel Temer, Rousseff's Vice-President and replacement, were both convicted of corruption through the Lava Jato scandal.¹⁹ This led critics to label the impeachment a "soft coup" because it was so polarized and did not follow the constitutional criteria for a "crime of responsibility."²⁰ The impeachment could be seen as an attempt to undermine the constitution and degrade the structure of democracy, but it is more aptly described as a degradation of the substance of democracy. A Datafolha poll from 2017, after Rousseff was ousted from office and Michel Temer had taken over, found that the approval rating for Temer was only 9%.²¹ Even though Temer was not from the Worker's Party and seemed like a neutral replacement, he was not able to gain popular support. This shows how a large segment of the Brazilian populace did not just lose faith in Rousseff, but in the democratic system as a whole, no matter who was in the executive office.

Temer finished his term as caretaker President, and in 2018, Bolsonaro won the presidential election and weakened the state of democracy even more with his brand of authoritarian, anti-party politics.²² Authoritarianism was thriving amidst democratic decay in 2018, when the percentage of people who said, "for people like me, it doesn't matter whether we have a democratic government or an authoritarian one" almost equaled the percentage of people who said, "democracy is preferable to any other system of government."²³ When Lula was inaugurated on January 1, 2023, it may have seemed like Brazilian democracy had survived a

¹⁹ Marc Hertzman, "The Campaign to Impeach Brazil's President is Viscously Sexist," *The Cut*, April 22, 2016, <https://www.thecut.com/2016/04/brazil-sexist-impeachment-campaign-dilma-rousseff.html>.

²⁰ Daly, "Populism, Public Law, and Democratic Decay," 11-12.

²¹ Daly, "Populism, Public Law, and Democratic Decay," 10.

²² Daly, "Populism, Public Law, and Democratic Decay," 18-20.

²³ Hunter and Power, "Bolsonaro," 71-72.

decade of democratic crises, but the attempted coup on January 8 was the height of authoritarianism in Brazil's post-dictatorship era.

While Bolsonaro did misinform the public about the 2022 election in a very similar way to Trump, it was Brazil's decade of democratic decay that set the stage for the attempted coup because January 8 was largely contingent on the support for authoritarianism and feelings of hostility and mistrust towards the Worker's Party, Lula, and democracy that gained mainstream credibility in 2013. But democratic decay itself cannot fully explain the importance of the military on January 8 nor the presence and meaning of the imperial flag. Therefore, going deeper into the history of the military and the Brazilian empire is needed to fully understand the attempted coup.

Militarized Order

On January 8, the golpistas looked to the military as the only institution capable and willing to restore order to a Brazilian state that they believed had unjustly rejected Bolsonaro.²⁴ The military created this ethos of order beginning with the enforcement of slavery's racial system of exploitation that supported a White settler colonial society. Portugal established Brazil as a colony in the early 1500s, and as early as the 1530s, the colonial economy depended on the forced labor of enslaved Africans. The state's exertion of violence and control over the African population maintained this exploitative system and social hierarchy that subjugated the Black population while empowering White settlers. The colonial government believed the institution of slavery was so vital to the social and economic underpinnings of society that they used military force to crush any acts of resistance that could liberate enslaved people from the racial order of

²⁴ Nicas and Spigariol, "Bolsonaro Supporters."

exploitation.²⁵ Enslaved people in Brazil often chose to resist slavery by escaping to freedom and establishing communities of formerly enslaved peoples called *quilombos*. During the seventeenth century, colonial military forces in Brazil attacked these communities, most famously Palmares, in order to affirm the racial order of slavery and colonial society.²⁶

Brazil declared its independence in 1822 with Emperor Pedro I at the helm of its monarchy, and officially abolished slavery in 1888 with the passage of the “Golden Law.” During these transitions, the military remained the enforcer of an elite vision of social order, but beginning in the late 1800s, a new generation of military officers came to define order with their own positivist idea of national progress instead of traditional imperial ideology.²⁷ This resulted in the military overthrowing Emperor Pedro II in 1889 and establishing Brazil’s first republic with the slogan “order and progress” as moral justification.²⁸ Throughout history, this slogan would give the military an excuse and obligation to assert their own order in society whenever they felt it was necessary because it empowered them to determine what order and progress looked like and how to achieve it.

The military continued to intervene in politics whenever opposing political movements or figures disrupted their version of order, but it was the introduction of Cold War politics, U.S. interventionism, and the conservative fear of land reform in the second half of the twentieth century that proved to be the most fertile ground for the military’s discourse of order. In 1961, João Goulart was elected president and called for progressive policies that would have upended the military’s monopoly on power and order. The military and the C.I.A. used propaganda campaigns to demonize Goulart as a communist demagogue who threatened democracy by

²⁵ Thomas E. Skidmore, *Brazil: Five Centuries of Change* (New York: Oxford University Press, 1999), 5-19.

²⁶ Marc Adam Hertzman and Flavio dos Santos Gomes, “Zumbi: The Last King of Palmares — Marc Adam Hertzman & Flavio dos Santos Gomez,” TED-Ed, December 13, 2022, YouTube video, 5:26, <https://www.youtube.com/watch?v=5ckmXwx2n88>.

²⁷ Skidmore, *Brazil: Five Centuries of Change*, 36-70.

²⁸ Jerry Dávila, *Dictatorships in South America* (New York: Wiley-Blackwell, 2013), 20-21.

denouncing militarized order. With the U.S. government's financial and diplomatic support, the military launched a coup in 1964, ousted Goulart, and established a dictatorship that lasted until 1985.²⁹ The dictatorship was an authoritarian regime that used a façade of democracy and economic progress to solidify their image as defenders of order. The dictatorship used congress, which they had already purged of political opponents, to preserve a false sense of democratic representation, and the unelected presidents went as far as wearing civilian clothes to posture themselves as democratic leaders.³⁰ The most politically repressive years of the dictatorship, beginning in 1968 with the passing of Institutional Act 5 and lasting until 1974, known as the “years of lead,” coincided with the “economic miracle,” which was a time of economic growth restricted to the upper and middle classes.³¹ During the “years of lead,” when it became clear that the dictatorship had no interest in safeguarding democracy, they substituted economic growth in place of democracy as proof of their protection of order.

The dictatorship characterized low-income Black communities as politically dissident to create the need for their enforcement of order and reinforce the racial order forged during the colonial era. This characterization was used as justification for extremely violent modes of repression and policing, such as specially trained “death squads.” Even to this day, militarized police forces and military units criminalize low-income Black communities in the racialized “war on drug trafficking,” thus constructing Black communities as agents of disorder, and the military as the ultimate arbitrator of order.³²

In an attempt to prolong the life of the dictatorship amid political pressure, President Geisel, the fourth president that the military selected during the dictatorship, began a process of

²⁹*The Day That Lasted 21 Years: How the U.S. Propped up a Latin American Dictatorship*, directed by Camilo Tavares (2012: Pragda), Kanopy.

³⁰Dávila, *Dictatorships in South America*, 31-32, 137.

³¹Anthony W. Pereira, *Modern Brazil: A Very Short Introduction* (Oxford: Oxford University Press, 2020), 53-55.

³²Erika Robb Larkins, *The Spectacular Favela: Violence in Modern Brazil* (Oakland: University of California Press, 2015), 57-68.

democratization in 1974.³³ The Brazilian Congress passed the Amnesty Law in 1979, which absolved political prisoners and military officials who engaged in torture of any criminal responsibility.³⁴ The Amnesty Law perpetuated the narrative of the military as the restorative body of order and democracy because it disguised their violations of human rights within the act of returning democracy to the civilian population.

Time and again, the military intervened in politics to instill its own sense of order onto a supposedly disordered Brazil. This history came to the fore when the golpistas expected the military to once again restore order to a Brazilian state that had, according to Jair Bolsonaro, fallen into the disarray of a fraudulent election. The history of the military and its institutionalization of order and disorder gives a more complex explanation of January 8 by showing that it was not just an attempt to replicate the U.S. insurrection, but rather an attempt to force the military to replicate the oppression and reactionary force that they have used since Brazil's colonial period.

Imperial Formations of White Supremacy and National Identity

Throughout much of Brazilian history, White supremacy has been used as a rallying point for national identity. This is important in understanding January 8 because the golpistas attempted to resurrect this formation of national identity to resist recent social movements in Brazil and politicians like Lula who support formations of national identity based on egalitarianism and equality. Understanding the goals and origins of recent egalitarian movements in Brazil reveals why certain historical narratives have been used as a reactionary platform in contemporary Brazil. For example, the film *Sementes: Mulheres Pretas no Poder* (Seeds: Black Women in

³³Pereira, *Brazil: A Very Short Introduction*, 55.

³⁴ Thomas E. Skidmore and James Green, *Brazil: Five Centuries of Change* (New York: Oxford University Press, 2022), 228.

Power) documents how Black women and the LGBTQ+ community have become more represented, more resistant, and more involved in Brazilian politics, but it also provides an entry point into understanding the meaning behind the imperial flag. The film begins in the aftermath of Marielle Franco's tragic murder in 2018. Marielle Franco was a Black lesbian activist and councilwoman from Rio de Janeiro who some believe was murdered by off duty police officers.³⁵ After her murder, a wave of Black women and LGBTQ+ political candidates formed a coalition to carry on her legacy and run for public office in the 2018 elections. These candidates created an extremely progressive and multi-cultural movement by speaking out for marginalized communities in the favelas, protesting the unjust murder of Franco, and supporting movements like #NotHim, a social media hashtag opposing Bolsonaro. In reaction to this political mobilization, Bolsonaro supporters escalated their sexist rhetoric and vandalized memorials of Marielle Franco. The elections ended positively for many Black female candidates, but at the inauguration, other politicians waved Brazil's imperial flag in response to the Black Lives Matter and Marielle Franco signs, harkening back to a time of extreme inequality when White supremacist narratives and systems embedded themselves in Brazil.³⁶ This flag would reappear on January 8 as part of the iconography of the coup.

The use of the imperial flag during the coup shows how influential the Brazilian empire's creation of a White supremacist national identity was to the golpistas on January 8. During the empire, popular narratives of White supremacy became integral to national identity and influenced future narratives even after the imperial era. In 1865, José de Alencar envisioned a

³⁵ Antonio José Bacelar da Silva and Erika Robb Larkins, "the Bolsonaro Election, Antiracism, and Changing Race Relations in Brazil," *The Journal of Latin American and Caribbean Anthropology* 24, no. 4 (2019): 906-907, 10.1111/jlca.12438.

³⁶ *Sementes: Mulheres Pretas no Poder*, directed by Júlia Mariano and Éthel Oliveira (2020; Estonia: Utopic Documentaries), <https://video.alexanderstreet.com/watch/seeds-black-women-in-power-sementes-mulheres-pretas-no-poder>.

future for Brazil based on White supremacy and genocide with his book *Iracema*. The book tells the story of a European colonizer and indigenous woman, Iracema, raising a child together who metaphorically represents the first “Brazilian.” Iracema dies shortly after giving birth to her child, who she says is “born of [European] blood,” thus predicting European domination in Brazil’s racial identity in the coming generations and the erasure of indigenous history and representation.³⁷ Modesto Brocos’s painting, *The Redemption of Ham*, from 1895, constructs a similar narrative by showing a Brazilian family becoming whiter with each generation.³⁸ Alencar and Brocos both proposed visions of assimilating Brazilian society into whiteness that would deliver the country to a future of White supremacy. This idea took root in Brazil, especially during the regime of Getúlio Vargas. In 1930, the military installed Getúlio Vargas as president, who claimed that Brazil had achieved racial harmony through the assimilation and acceptance of African culture.³⁹ However, this claim was based on the belief that African culture could not, or should not, exist separately from a White Brazilian identity and that the White Brazilian identity had an inherent power to adopt and erase African culture.

The Brazilian empire created a national identity based on White supremacy not only through the assimilation and erasure of other cultures, but also through the outright rejection and exclusion of African Brazilians and women from exercising the rights of citizenship. Since the imperial era, when the first elections were held, Brazilians with marginalized racial and gender identities have been systemically excluded from the polity. Voting was very restricted and indirect during the empire, but as abolition became more of a political reality, many restrictions on voting were dropped, except for a literacy test. This was designed to disenfranchise the voting

³⁷ José de Alencar, *Iracema*, trans. Clifford E. Landers (New York: Oxford University Press, 2000), 50-113.

³⁸ Modesto Brocos, *The Redemption of Ham*, 1895, oil on canvas, Museu Nacional de Belas Artes, Rio De Janeiro, <https://commons.wikimedia.org/wiki/File:Reden%C3%A7%C3%A3o.jpg>.

³⁹ Paulina L. Alberto, *Terms of inclusion: Black Intellectuals in Twentieth-Century Brazil* (Chapel Hill: University of North Carolina Press, 2011), 10-13.

ability of formerly enslaved people and secure a White, male majority of voters. In 1932, women were granted the right to vote, but the literacy test was not removed until 1985.⁴⁰

The empire's exclusionary ideology and practices were never fully dismantled and have had a lasting impact on the criteria of belonging in Brazilian society. An 1890 immigration decree banned immigration from Asia and Africa but welcomed European immigration and incentivized landowners to facilitate this process.⁴¹ Getúlio Vargas, the same man who celebrated racial harmony, deported Olga Benário, a Jewish communist prisoner, to Nazi Germany in 1936.⁴² The deportation of Benário and cooperation with Nazi racial doctrine shows how the vision of Brazilian society and belonging was dependent on a certain White, male qualification. Even today, the criminalization of Black communities still relies on the logic of exclusion because Black communities that cannot be assimilated into the myth of racial harmony are rejected from a common sense of belonging and forced into a system of mass incarceration and over-policing.⁴³

The presence of the imperial flag in Brasília on January 8 reveals the deeper history that took center stage at a time when progressive political movements were threatening a national identity built on White supremacy. The reliance on imperial symbolism gives us a clearer understanding of what January 8 was really about: a rejection of the increasing racial, sexual, and gender diversity in Brazil and an attempt to reassert that the privileges of Brazilian identity and belonging should only be extended to those who fit within the ideals of the empire's White supremacy.

⁴⁰ Leslie Bethell, *Brazil: Essays on History and Politics* (London: University of London Press, 2018), 148-161.

⁴¹ Thomas E. Skidmore, *Black into White: Race and Nationality in Brazilian Thought* (Durham: Duke University Press, 1993), 136-144.

⁴² Fernando Morais, *Olga*, trans. Ellen Watson (New York: Grove Weidenfeld, 1990), 63-178.

⁴³ Larkins, *The Spectacular Favela*, 8-78.

Conclusion

The attempt to urge the military to reinstate Bolsonaro was the culmination of years of history being unleashed in a violent attack on democracy. Understanding the recent rise of authoritarianism and democratic decay, the military's rhetoric and construction of order, and the Brazilian empire's formation of national identity based on White supremacy is crucial to grasping the full implications of the attempted coup. Although there are similarities between January 8 in Brazil and January 6 in the United States, the history that was displayed on January 8 requires a new way of thinking about the attempted coup that does not rely on simple comparisons to the United States. Hopefully, this article can be a part of the growing discussion of January 8 and contribute to a deeper understanding that is grounded in the historical context of Brazil and the many complexities within it.

Bibliography

- Alberto, Paulina L. *Terms of Inclusion: Black Intellectuals in Twentieth-Century Brazil*. Chapel Hill: University of North Carolina Press, 2011.
- Alencar, José. *Iracema*. Translated by Clifford E. Landers. New York: Oxford University Press, 2000.
- Bacelar da Silva, Antonio José and Erika Robb Larkins. “the Bolsonaro Election, Antiracism, and Changing Race Relations in Brazil.” *The Journal of Latin American and Caribbean Anthropology* 24, no. 4 (2019): 893-913. 10.1111/jlca.12438.
- Bethell, Leslie. *Brazil: Essays on History and Politics*. London: University of London Press, 2018.
- Brocos, Modesto. *The Redemption of Ham*. 1895. Oil on canvas painting. Museu Nacional de Belas Artes. <https://commons.wikimedia.org/wiki/File:Reden%C3%A7%C3%A3o.jpg>.
- Carroll, J.P. “Brazil’s Jan. 8 Is the Inevitable Consequence of Jan. 6.” *The Hill*, January 11, 2023. <https://thehill.com/opinion/international/3809040-brazils-jan-8-is-the-inevitable-consequence-of-jan-6/>.
- Ciciora, Phil. “What Led to the Attempted Coup in Brazil, What Comes Next?” *Illinois News Bureau*, January 19, 2023. <https://news.illinois.edu/view/6367/1608468847>.
- Daly, Tom. “Populism, Public Law, and Democratic Decay in Brazil: Understanding the Rise of Jair Bolsonaro.” *Law and Ethics of Human Rights Journal* (January 2019): 1-22.
- Dávila, Jerry. *Dictatorships in South America*. New York: Wiley-Blackwell, 2013.
- Deliso, Meredith. “Did the Jan. 6 Attack Lay the Blueprint for Brazil’s Insurrection.” *ABC News*, January 12, 2023. <https://abcnews.go.com/International/jan-6-attack-lay-blueprint-brazils-insurrection/story?id=96312273>.
- Elliot, Philip. “Brazil Attack Reveals Trump’s Insurrections Strategy Is Now a Blueprint.” *Time*, January 9, 2023. <https://time.com/6245824/brazil-attack-trump-insurrection-strategy/>.

- Filho, Alfredo Saad Filho. "The Mass Protests in Brazil in June-July 2013." *Global Research: Center for Research on Globalization*, July 14, 2014.
<https://www.globalresearch.ca/the-mass-protests-in-brazil-in-june-july-2013/5342736>.
- Hertzman, Marc. "History in Real Time." PowerPoint Presentation in History 405, University of Illinois at Urbana-Champaign, Urbana, IL, January 25, 2023.
- Hertzman, Marc. "The Campaign to Impeach Brazil's President is Viscously Sexist." *The Cut*, April 22, 2016.
<https://www.thecut.com/2016/04/brazil-sexist-impeachment-campaign-dilma-rousseff.html>.
- Hertzman, Marc Adam and Flavio dos Santos Gomes. "Zumbi: The Last King of Palmares — Marc Adam Hertzman & Flavio dos Santos Gomez." TED-Ed. December 13, 2022. YouTube video, 5:26. <https://www.youtube.com/watch?v=5ckmXwx2n88>.
- Hunter, Wendy and Timothy J. Power. "Bolsonaro and Brazil's Illiberal Backlash." *Journal of Democracy* 30, no. 1 (January 2019): 68-82. <https://doi.org/10.1353/jod.2019.0005>.
- Larkins, Erika Robb. *The Spectacular Favela: Violence in Modern Brazil*. Oakland: University of California Press, 2015.
- Mariano, Júlia and Éthel Oliveira dir. *Sementes: Mulheres Pretas no Poder*. 2020; Estonia: Utopic Documentaries.
<https://video.alexanderstreet.com/watch/seeds-black-women-in-power-sementes-mulheres-pretas-no-poder>.
- Modesto, Daniel and Arizbeth Rojas. "Brazilian Students, Professors React to Jan. 8 Insurrection on Democracy in Brasília." *The Dartmouth*, January 24, 2023.
<https://www.thedartmouth.com/article/2023/01/brazilian-students-professors-react-to-jan-8-insurrection-on-democracy-in-braslia>.
- Morais, Fernando. *Olga*. Translated by Ellen Watson. New York: Grove Weidenfeld, 1990.
- Mouk, Yascha. "Brazil's 'January 6 Moment' is a Warning." *The Atlantic*, January 9, 2023.
<https://www.theatlantic.com/ideas/archive/2023/01/brazil-jair-bolsonaro-lula-january-6-riot-populism/672678/>.
- Nicas, Jack and André Spigariol. "Bolsonaro Supporters Lay Siege to Brazil's Capital." *The New York Times*, January 8, 2023.

<https://www.nytimes.com/2023/01/08/world/americas/brazil-election-protests-bolsonaro.html?searchResultPosition=12>.

Pereira, Anthony W. *Brazil: A Very Short Introduction*. Oxford: Oxford University Press, 2020.

Serino, Kenichi. "Here's What's Different About the Brazil Attack Compared to Jan. 6." *PBS News Hour*, January 11, 2023.

<https://www.pbs.org/newshour/world/what-the-attack-in-brazil-says-about-far-right-movements-around-the-world>.

Skidmore, Thomas E. *Black into White: Race and Nationality in Brazilian Thought*. Durham: Duke University Press, 1993.

Skidmore, Thomas E. *Brazil: Five Centuries of Change*. New York: Oxford University Press, 1999.

Skidmore, Thomas E and James Green. *Brazil: Five Centuries of Change*. New York: Oxford University Press, 2022.

Tavares, Camilo, dir. *The Day That Lasted 21 Years: How the U.S. Propped Up a Latin American Dictatorship*. 2012: Pragma. Kanopy.

Secret Rules: The Politics and Strategy of Russian Extraterritoriality in China

Stella D'Acquisto - University of Wisconsin-Madison

Introduction

Why would someone living in China claim Russian citizenship when accused of a crime? In 1906, Alec Alexander did just that, seeking to be tried in a Russian court rather than a Chinese one.¹ Facing charges of prostitution with evidence mounting against him, he claimed Russian citizenship despite not being a Russian citizen at all. This was because in this time, a Russian living in China could be tried in a Russian court because of a special legal status called extraterritoriality. Countries such as the United States, Great Britain, and Russia held this status, which allowed their nationals residing in China to sue or be tried in the courts of their home countries rather than in Chinese courts. Typically, foreign residents in China would appear before “Mixed Courts” or local Chinese courts, but this exception created foreign courts based in China that could try their own citizens.

In early 1900s China, Western powers exerted tremendous influence over the city of Shanghai through treaty ports which divided the city into territories controlled by the West, and as a result their nationals came to Shanghai to take advantage of opportunities their countries created for them. Thus, the United States, Great Britain, and France had many citizens residing in China following the Opium Wars, and part of these countries’ control over China consisted of systems of extraterritoriality. However, many Russians came to the country as independent immigrants or even political refugees. The number of Russian migrants in China necessitated their own system of extraterritoriality. Russia’s extraterritoriality is widely considered to have

¹ “The Provisional Court of Shanghai,” *China Law Review* 3, no. 6 (1927): 429.

come to an end in 1924, with Russia being the first major power to abolish their extraterritoriality with China, but the presence of secret treaties between China and Russia suggests that the system persisted for several decades afterward in one form or another. This paper examines how Russian extraterritoriality continued to influence Chinese courts, even after its official endpoint. Following court documents and secret treaties, I explore the exceptions that were made to allow Russian parties in China to remain under Russian jurisdiction.

Research on the use of extraterritoriality in China has largely focused on Western imperial powers such as Britain and the United States; *The Foreign Presence in China in the Treaty Port Era* by Robert Nield presents a thorough examination of these dynamics but largely captures them through this West-focused lens, while in *Grounds of Judgment*, Par Cassel explores the perceptions and politics that influenced extraterritoriality in Asia, presenting primarily an overview of the history of extraterritoriality. Focusing instead on Russia reveals an unusual difference in the application of this policy. Turan Kayaoglu's "The Extension of Westphalian Sovereignty" complicates the reasoning for extraterritoriality to exist and later to end by examining how each country had different reasons for using it. In "The End of Extraterritoriality," Bruce Elleman isolates Russia as a more unique case and presents this idea that extraterritoriality between Russia and China may have continued past its official end; this analysis is what prompted my research into Russia's legal relationship with its diaspora in China. This paper combines these analyses with court documents to test the idea that extraterritoriality is less an official status than a policy, intended to increase Russia's sphere of influence, whose effects continued long after 1924.

To understand to what extent extraterritoriality truly came to an end, I will first look at the historical relationship between Russia and China and how patterns of immigration created

and influenced extraterritoriality, including its imperial legacy in relation to European powers. Then, I will examine what the extraterritoriality system did for Russian nationals in China when it was in full effect and how it worked in practice, using examples from court cases prior to 1924. With a particular focus on the 1906 case of *A. Pavlow v. Baron Ward*, I will demonstrate that the spirit of extraterritoriality was fully present with the example of the British Supreme Court in Shanghai. These cases show the language used to discuss extraterritoriality, often without referring to it by name.

Then I will turn to the transitional period following 1924, in which the Soviet Union officially abolished their subjects' right to extraterritoriality and discuss how extraterritorial practices remained in effect until as late as the 1960s. To demonstrate this, I will examine another court case, this one in the Provisional Court of Shanghai: *Rizaeff Freres v. The Soviet Mercantile Fleet*, which reveals an instance in which the ideas of extraterritoriality remained in the Chinese pluralist legal system. Finally, having established that Russian extraterritoriality remained in China to some extent and identifying some of the ways it persisted, I will examine the possible political reasoning for this secret maneuvering by Russia and China. Though Russian extraterritoriality officially ended in China in 1924, continued exceptions to allow Russian defendants to remain in Russian jurisdiction and the presence of secret treaties between the two countries suggests that Russian legal influence continued to affect Chinese law for decades afterward.

Background

Russian immigrants had been present in China for the past few centuries with the largest influx arriving at the start of the twentieth century. With the construction of the Chinese Eastern

Railway across Manchuria which connected with the Trans-Siberian Railway in Vladivostok, Russians began to migrate to Northern China for economic opportunities.² The city of Harbin in China was largely Russian-speaking and drew in many Russian-speakers including Tatar, Georgian, Ukrainian, Armenian, Jewish, and Polish immigrants.³ After the Bolshevik Revolution in 1917, many civilians fleeing the violence left Russia for China. Then, following the Red Russians' victory in 1922, White Russians retreated to China, bringing many civilians living in the area with them. Stalin's rule in the subsequent decades pushed even more Russians to China.⁴ As the Russian émigré community grew, chain migration and cultural connections pulled more Russians south to Harbin, and the presence of other immigrant communities pulled Russian migrants to Shanghai. This created a significant Russian population in China, and all of them could potentially find themselves in a court case involving extraterritoriality.

The conventional perception of extraterritoriality indicates that it skewed the balance of power in Chinese litigation toward the foreigners whose mother countries held extraterritoriality, allowing foreigners to “commit crimes with impunity, sometimes literally getting away with murder.”⁵ There were well-known instances in which people accused of serious crimes were able to claim foreign citizenship in order to be tried in a court that was more favorable toward them, and these are often held up as examples for how the system favored foreigners. The treaties that first established the principle of extraterritoriality are often called the “unequal treaties,” which implies that extraterritoriality created an essential power imbalance.

² Mara Moustafine, “Russians from China: Migrations and Identity,” *International Journal of Diversity in Organisations, Communities and Nations* 9, no. 6 (2010): 144.

³ Moustafine, 144.

⁴ Moustafine, 146.

⁵ Par Cassel, *Grounds of Judgment: Extraterritoriality and Imperial Power in Nineteenth-Century China and Japan* (Oxford: Oxford University Press, 2011), 39.

Since the Qing Dynasty, however, China had a policy of noninterference in the affairs of foreigners, leaving them to settle legal disputes between themselves.⁶ The first known instance of legal pluralism between Russia and China was in 1743 when two Russian soldiers were accused of murdering two Chinese civilians. In this case, the Qing government consulted the Russian government to obtain their permission before executing the Russians.⁷ Thus, to say that extraterritoriality was a purely imperialist policy is to ignore the complete history of the system; however, one can also argue that its purpose evolved to become more imperialistic. The reality for China and Russia was likely somewhere in-between; throughout the history of Russian treaties, the Russians had at times been able to exert power through extraterritoriality. Formal extraterritoriality began with the 1858 Treaty of Tientsin, which first established the rules of extraterritoriality between Britain and China during the Opium Wars, and treaties with other countries followed, codifying these practices.⁸

Extraterritoriality's Quiet Persistence

During Russia's period of formal extraterritoriality in China, Russians involved in Chinese court cases could be tried in Russian Courts, and some people attempted to take advantage of this system. In a case before the Russian Consular Court in 1906, defendant Alec Alexander was arrested in China for alleged sex trafficking. Alexander tried to claim Russian citizenship, but he was not able to present any evidence of his citizenship, and so the Court refused to rule on the case. Following this, Alexander's case moved to the Mixed Court, and after he was found guilty there, he was deported.⁹ In the Alexander case, he evidently tried to claim Russian citizenship

⁶ Cassel, 42.

⁷ Cassel, 44.

⁸ Tseng Yu-Hao, *Termination of Unequal Treaties in International Law: Studies in Comparative Jurisprudence and Conventional Law of Nations* (Shanghai: The Commercial Press, 1931), 272.

⁹ "The Provisional Court of Shanghai," 429.

without actually being a Russian citizen, presumably because he felt that it would be beneficial to him, and perhaps even at the advice of his lawyer. Regardless of whether it was true in practice, this case demonstrates that people *believed* being tried outside the Chinese or Mixed Courts would help the accused.

Even in cases in China-based foreign courts, the courts still considered the citizenship of each party and considered whether it belonged in other foreign courts. In the instance of *A. Pavlow v. Baron Ward* in 1906, before the British Supreme Court in Shanghai, the plaintiff Pavlow was a Russian citizen. His lawyer was recorded as advocating for the trial to occur in a Russian court instead, while the lawyer for the defendant advocated for the case to remain in the British Supreme Court. Although the judge eventually decided to keep the case within his court, he was concerned with following the proper procedure: “He did not want it to be thought that he was assuming jurisdiction which ought properly to be exercised by the Russian Consular Court, but he felt that he was bound by the statute.”¹⁰ This case also demonstrates a unique circumstance in which a Russian’s lawyer advocated for his client to be tried in a Russian court, even when the Court was not a Chinese court but another foreign court. It also shows how ideas surrounding extraterritoriality can be present in a court room without it actually applying in a legal sense.

Both these cases present the common belief that people in China with non-Chinese citizenship ought to be in the courts of their home countries, even when not in a Chinese court — and that their home countries had some say over it. They also show that the issue of extraterritoriality was not only about imperial power but about individuals wanting litigation to occur specifically within their own country’s courts, or at least *outside* the Chinese courts. At this point, extraterritoriality was firmly seen as an advantage to foreign countries, which could also

¹⁰ “The Provisional Court of Shanghai,” 414.

have made it difficult for the Chinese government's ability to maintain the rule of law in its own country. Extraterritoriality was seen as beneficial to the citizens of the state who had it, and this allowed those states to undercut the Chinese legal system. Eventually, however, Russian interests actually favored abolishing extraterritoriality, and these interests aligned with those of China.

The Politics of Extraterritoriality

Our first assumption about Russia's choice to abolish extraterritoriality might be that Russia was sacrificing an important political advantage. However, there was a significant difference in the political position of Russia in contrast to the other world powers with spheres of influence in China. While a country like the United States might want to protect their citizens in China to avoid receiving backlash from their citizens' actions, most Russian expatriates in China at that time were White Russians, while the Bolsheviks held power in the Russian government. Soviet Russia was not interested in protecting the very people they had driven out of their country, and in fact, their political interests lay in undermining the White Russian émigrés' positionality as Russian nationals and their legitimacy as a group. Additionally, because of the perception that extraterritoriality benefitted the outsider states, the Soviets' choice to relinquish their extraterritoriality made them more popular with the Chinese people.¹¹ At this time, the Soviet Union was still new, so maintaining positive opinions about the Soviet Union internationally was essential to furthering their soft power. In 1919 Russia first floated ending extraterritoriality with the Karakhan Manifestos, stating the Russian government's favor toward ending the practice based on their communist values.¹² Between February 1921 and October 1924, China worked to dissolve Russia's extraterritoriality, which was stated as an attempt to undermine White

¹¹ Elleman, Bruce, "The End of Extraterritoriality in China: The Case of the Soviet Union, 1917-1960," *Republican China* 21, no. 2 (1995): 67.

¹² Elleman, 66.

Russians.¹³ However, even after this, extraterritoriality remained for officials and others who were actually connected to the Russian government.

Chinese court cases with parties from other countries utilized the ideas of extraterritoriality into the late 1920s and 30s. In the example of *Rizaeff Freres v. The Soviet Mercantile Fleet*, which originally appeared in the Provisional Court of Shanghai, the plaintiffs were Persian merchants operating in Shanghai, who sued a Russian merchant vessel for damages of lost goods. This case presents a fascinating issue of international law that deals with who has jurisdiction over merchant vessels. The problem before the court was whether the case fell under the jurisdiction of the Shanghai court or, as the Russian defendants argued, under Russian courts. The Mixed Court had previously ruled that *Freres v. the Soviet Mercantile Fleet* fell under Chinese jurisdiction, but in the Shanghai Provisional Court, the plaintiff's petition was dismissed on the grounds that it was not under Chinese jurisdiction. The court found in this case that the Russian vessel was under the jurisdiction of Russia rather than the local government because of the defendants' nationality. *Freres v. the Soviet Mercantile Fleet* provides a unique example of how Russia was still able to have jurisdiction over their own citizens after the end of Russian extraterritoriality in China, and Russian citizens actually benefited because the case was dismissed. If this is the case, it would support Elleman's argument that extraterritoriality between the two did not come to a *de facto* end until much later. Instead, it continued in an unofficial capacity, influencing the ways of thinking and legal reasoning of individuals, lawyers, and judges just as it had even during the time of formal extraterritoriality.

Russians agreed to officially dissolve extraterritoriality as a method of pressuring the other western powers into dissolving their own extraterritoriality, but it also made sense for the Chinese government at this time. After the 1911 Revolution in China which brought an end to

¹³ Elleman, 68.

the Qing Dynasty and established the Republic of China, Kayaoglu argues that the Republic attempted to establish “modern” courts. This meant that they were placing more power in the national government as opposed to the system of local magistrates that previously dominated the Chinese legal system. However, this attempt was largely unsuccessful, particularly after warlords began to take power in parts of China in the 1920s.¹⁴ Western powers could continue to use their lack of a “modern” legal system as justification to maintain extraterritoriality. However, because public opinion in China led people to think that extraterritoriality was detrimental to Chinese Courts’ sovereignty, they would largely have favored the end of extraterritoriality once efforts began. After Russia published the Karakhan Manifesto, Chinese opinions on the Russia greatly improved.¹⁵ Because China was pushing for decolonization at this time, removing this formalized foreign influence symbolized a step toward Chinese autonomy that Western powers were at that time unwilling to take.¹⁶

Quickly following the start of decolonization, battles for public opinion between capitalist and communist powers also began, so winning over the Chinese populace was important to international relations in many countries: “The Bolsheviks... clearly hoped to take advantage of China’s disappointment with Versailles to spread socialism to China.”¹⁷ While the actual effects of this may have been negligible, the idea that Russia might be spreading socialism allowed China to begin pressuring Western nations to end their own extraterritoriality agreements. Extraterritoriality technically continued between Russia and China, but both states also benefited politically and strategically from this change.

¹⁴ Turan Kayaoglu, “The Extension of Westphalian Sovereignty: State Building and the Abolition of Extraterritoriality,” *International Studies Quarterly* 51, no. 3 (2007): 650.

¹⁵ Elleman, 67.

¹⁶ Kayaoglu, 665.

¹⁷ Elleman, 67.

Conclusion

Extraterritoriality was originally seen by the public as a way for foreigners to seek protection the protection of their home countries, giving them an advantage in court. The outcomes of some of the cases examined support this, even if it was not necessarily the intention of the policy.

Eventually, Russia ended their extraterritoriality in China because it was not beneficial to maintain. Although Russia was officially the first country to do so, elements of extraterritoriality remained in practice in courts, particularly when it came to the protection of Russian officials.

The Russian and Chinese governments were able to leverage this decision as a political tool to free China from the legal influence of Western governments as well as to potentially undermine support for White Russians in China and sway public opinion toward Russia. Because the idea of extraterritoriality largely applied implicitly, even while it was formalized, it continued to influence courts in China. This convoluted history demonstrates how the inner workings of pluralist legal systems can lead to impactful political change and how imperial-era ideas can linger after systems of governance officially change. World powers often operate behind closed doors, and methods such as those explored here can serve to extend imperial interests while remaining completely hidden from the public eye.

Bibliography

- Cassel, Par. *Grounds of Judgment: Extraterritoriality and Imperial Power in Nineteenth-Century China and Japan*. Oxford: Oxford University Press, 2011.
- Elleman, Bruce. "The End of Extraterritoriality in China: The Case of the Soviet Union, 1917-1960," *Republican China* 21, no. 2 (1995): 65-89.
- Kayaoglu, Turan. "The Extension of Westphalian Sovereignty: State Building and the Abolition of Extraterritoriality," *International Studies Quarterly* 51, no. 3 (2007): 649-675.
- Koo, Vi Kyuin. *Status of Aliens in China*. New York: Columbia University, 1912.
- Kotenev, Anatol. *Shanghai: Its Mixed Court and Council*. Shanghai: North China Herald, 1925.
- Morse, Hosea Ballou. *The Trade and Administration of China*. New York: Longmans, Green & Co., 1906.
- Moustafine, Mara. "Russians from China: Migrations and Identity," *International Journal of Diversity in Organisations, Communities and Nations* 9, no. 6 (2010): 143-158.
- Nield, Robert. *The Foreign Presence in China in the Treaty Port Era, 1840-1943*. Hong Kong University Press, 2015.
- "The Provisional Court of Shanghai," *China Law Review* 3, no. 6 (1927): 14-19.
- Yu-Hao, Tseng. *Termination of Unequal Treaties in International Law: Studies in Comparative Jurisprudence and Conventional Law of Nations*. Shanghai: The Commercial Press, 1931.

Interwar Gun Control: A Feigned Consensus

Noah Yeager - University of Illinois Urbana-Champaign

The issue of a powerful gun lobby opposed to bare-minimum gun control legislation, such as a permit to purchase, appears to be one of the many products of recent polarization and culture war. However, this legal juggernaut did not just suddenly emerge—it has been present and growing since the first efforts to address the national gun problem that has claimed so many lives. In 2020, a year indicative of the significant and tragic rise in mass shootings and gun-related deaths in recent years, there were 13.6 deaths attributed to firearms per 100,000 Americans.¹ At the peak of the interwar period’s gun issue in 1932, this number was 15.4.² These deaths and the wide publicization of the criminals who committed them rallied the public behind the federal government’s gun control efforts, demonstrated by an early Gallup poll that found nearly four out of five Americans supported the registration of all pistols and revolvers.³ Given the overwhelming demand for gun control, many historians look back at the 1930s as a time when gun enthusiasts and gun control advocates put aside their differences for the common good. However, the truth is far different. Despite this appalling crisis met by a country ready for change, the NRA would not allow restrictive gun control legislation to pass. The NRA testified before Congress that it was “not at all” opposed to reasonable gun control,⁴ as they simultaneously sent letters to its members calling on their support to completely kill that same bill they had testified for.⁵ In an environment ideal for gun control, the interwar period gun lobby

¹ “Deaths Due to Injury by Firearms per 100,000 Populations,” KFF.org, Kaiser Family Foundation, Accessed November 4, 2023, <https://www.kff.org/other/state-indicator/firearms-death-rate-per-100000>.

² Carl Bakal, *The Right to Bear Arms*. (New York: The McGraw-Hill Book Company, 1966), 168.

³ Lee Kennett and James L Anderson, *The Gun in America*. (Westport: Glenwood Press, 1975), 213.

⁴ *National Firearms Act, Hearings before the Committee on ways and means, House of representatives, Seventy-third Congress, second session, on H. R. 9066*. 56.

⁵ *National Firearms Act*, 129.

feigned consensus around the need for gun control out of necessity; however, their efforts to gut such legislation demonstrated resistance to all gun control evocative of modern-day gun lobbyists.

It is vital to establish the background of the chief player on behalf of the gun lobby responsible for defeating this era's legislation, the National Rifle Association (NRA). The NRA was not always vehemently dedicated to lobbying against gun control. William Conant Church and George Wood Wingate founded the NRA following the Civil War. The two men fought in the war as officers, during which they were so appalled by American marksmanship that they feared for American national security. To encourage the development of marksmanship, they established the NRA in 1871 as a non-profit primarily funded by the state of New York. With these funds, the NRA built a shooting range where it could "promote and encourage shooting on a scientific basis."⁶ In its infancy, the organization worked to further national security through firearms knowledge.

The NRA's mission to further gun culture in the United States became painfully successful moving into the twentieth century. In 1908, the NRA moved headquarters to Washington, DC, reflecting a new focus on lobbying as it transitioned into a "sportsman's organization."⁷ Under this new mission, the NRA looked to advocate for the interests of rifle and shotgun users before Congress and around the country. It quickly became apparent how the NRA sought to recruit more members while promoting gun culture in America. It began founding youth programs as early as 1903⁸ and by 1931 had over 800 NRA junior clubs that had 38,788 members.⁹ The organization also leaned into messaging intended to associate marksmanship with

⁶ Bakal, *The Right to Bear Arms*, 130.

⁷ Ibid.

⁸ Jay Mechling, "Boy Scouts, the National Rifle Association, and the Domestication of Rifle Shooting." *American Studies* 53, no. 1 (2014): 5–25. <http://www.jstor.org/stable/24589296>, 8.

⁹ Bakal, *The Right to Bear Arms*, 131.

individuality, masculinity, and Americanism, establishing weapons as a part of its base's identity.¹⁰ Firearms were characterized as critical to a man's duty to protect his personal liberty and invaluable factor of his self-reliance. Sportsman organizations further crafted this masculine identity behind gun ownership by creating a contrast with women—whom their literature portrayed as instinctually fearful and mistrusting of firearms.¹¹ The NRA's growing commitment to gun culture would defy the expectations of its founders and derail gun control legislation for decades to come.

The issue fell upon the state governments before the New Deal federal government stepped in to address gun control. States had implemented their own gun control laws around concealed carry since the late eighteenth century.¹² Throughout the 1920s, however, average gun deaths per year took an upward trajectory, rising from 11.6 per 100,000 in 1913 to 13.0 in 1922 and reaching 14.5 by 1930.¹³ Citizens and state governments around the country recognized their newfound 'pistol problem.' One 1924 article in the L.A. Times partially attributed the U.S.'s internationally above-average crime rate to the "free-use and easy access to pistols."¹⁴ Similar articles decrying reckless pistol use spread across the country, from Chicago to Atlanta.¹⁵ Citizens and their local governments recognized the need for a solution to the plague of pistol violence.

¹⁰ Mechling, "Boy Scouts, the National Rifle Association, and the Domestication of Rifle Shooting," 8; Carol S. Leff, and Mark H. Leff, "The Politics of Ineffectiveness: Federal Firearms Legislation, 1919-38," *The Annals of the American Academy of Political and Social Science* 455 (1981): 48–62. <http://www.jstor.org/stable/1044070>, 57-58.

¹¹ Leff and Leff, "Politics of Ineffectiveness," 59.

¹² Bakal, *The Right to Bear Arms*, 150.

¹³ *Ibid*, 354.

¹⁴ Edward F Roberts, "Why Does U.S. Lead the World in Crime," *Los Angeles Times* (1923-1995); Mar 23, 1924; ProQuest Historical Newspapers: Los Angeles Times, 8.

¹⁵ "Pistol Toting," *Chicago Daily Tribune* (1872-1922); Sep 28, 1922; ProQuest, <https://www.proquest.com/docview/174986926/E449F3E251324AEDPO/2?accountid=14553>, 8; "Negro Ministers Join in Crusade Against Pistol," *The Atlanta Constitution* (1881-1945); Jan 8, 1925; ProQuest Historical Newspapers: The Atlanta Constitution, <https://www.proquest.com/docview/499389996/A237692719124DC7PO/1?accountid=14553>, 1.

The controversial breakthrough many sought came with New York's Sullivan Law of 1911. Rather than focus on solely outlawing the unpermitted carrying of weapons, the policy required police-granted permits to purchase concealable firearms at all.¹⁶ Furthermore, the law required dealers to keep records of all gun sales, monitoring the transfer of deadly weapons in the state.¹⁷ The Sullivan Law passed quickly with a margin of 37 to five and received endorsements from specialists on violent crime, such as police officials and judges.¹⁸ Considered one of the strictest gun laws in the country, the Sullivan Law was poised to take pistols out of the hands of criminals throughout New York. The success of such a strict gun control law may at first seem to contradict the idea of an uncompromising gun lobby. However, it is crucial to consider that the NRA neither had the numbers to resist nor would they welcome pistol users into their ranks until the 1920s.¹⁹ Once the NRA grew in power and began to accept pistol owners, they would later try to retroactively kill the bill, a topic which this essay will later explore.

The pioneering bill was not without its critics. Opponents of the bill claimed it only disarmed honest citizens rather than criminals. This sentiment is expressed in an opinion piece in the New York Times by Archibald C. Foss, in which he exclaims that the Sullivan Law will probably cause even more murder in the street.²⁰ Many questioned the bill's constitutionality along the language of the Second Amendment.²¹ Some doubted its effectiveness, as critics pointed out how homicides by gun in the state increased from 108 in 1910 to 113 in 1912.²² Karl Frederick would eventually even claim communists endorsed and supported the bill.²³ Frederick

¹⁶ Anderson and Kennett, *The Gun in America*, 175.

¹⁷ Adam Winkler, "Gangsters, Guns, and G-Men" in *Gunfight: The Battle Over the Right to Bear Arms in America* (New York: W. W. Norton & Company, 2011), 131.

¹⁸ Anderson and Kennett, *The Gun in America*, 175-176.

¹⁹ Bakal, *The Right to Bear Arms*, 130; 165.

²⁰ Archibald C. Foss, "In the Gunman's Favor." *New York Tribune* (1911-1922); Mar 20, 1921; ProQuest, <https://www.proquest.com/docview/576347216/F31156A5D5949F8PQ/1?accountid=14553>, 4.

²¹ Anderson and Kennett, *The Gun in America*, 182.

²² Ibid, 185.

²³ Bakal, *The Right to Bear Arms*, 152.

was a renowned Olympic medal-winning pistol shooter as well as a lawyer who had graduated from Princeton University and Harvard Law School. His impressive background made him one of the most influential advocates against gun control in the country. Frederick would eventually become president of the NRA by the time the federal government moved forward with gun control.²⁴ Much like the modern gun debate, the rationality of the opposition existed on a spectrum.

Regardless, gun control advocates of legislatures across the country were ultimately proud of the act and saw it as a baseline for future efforts. While in some years murders did not decrease when compared with rising crime rates across the country as a whole, New York fared well with only 5.8 murders per 100,000 people compared to a national average of 9.2 in 1932.²⁵ While the number of gun-related murders in the state grew, the Sullivan Law at least stunted that growth compared to the rest of the country. The state law's limited scope was its most significant weakness. As the states around New York had more loose gun laws, pistols could be purchased across state lines and then brought back. However, that appeared as if it may be about to change. As a result of the bill's successes, many other state and city governments looked at the bill as a template for further legislation. One proposed bill in California bragged about being even stronger than the Sullivan Law,²⁶ while the city council of Atlanta met to discuss a bill to outlaw the sale of pistols altogether.²⁷ With these bills sprouting across the country, the spread of Sullivan Law like policies was seemingly a mere inevitability.²⁸

²⁴ Winkler, "Gangsters, Guns, and G-Men," 134.

²⁵ Ibid, 158.

²⁶ "The Pistol Problem," *Los Angeles Times* (1923-1995); Aug 9, 1934; ProQuest Historical Newspapers: Los Angeles Times, 4.

²⁷ Jitney Abolition to be Considered in Council Today: Council is Expected to Ban Pistol Sales," *The Atlanta Constitution* (1881-1945); Jan 19, 1925; ProQuest Historical Newspapers: The Atlanta Constitution, <https://www.proquest.com/docview/499399181/584590F0D63242D2PO/1?accountid=14553>, 1.

²⁸ Bakal, *The Right to Bear Arms*, 159.

The gun lobby leapt at the chance to counter the momentum of the Sullivan Law's success and its diffusion across the country. Karl Frederick and the United States Revolver Association sought to get ahead of the coming wave of gun control legislation by working with advocates. By 1919, they began drafting a weaker version of the Sullivan Law that states could use as a model for their gun control laws. This bill called for neither permits to purchase nor statewide registration. Instead, it focused on required dealer licenses and barring violent offenders from owning pistols. However, the law only applied to pistols below 12 inches and did not prohibit non-violent criminals, such as robbers, from owning a pistol. This provision was problematic as violent criminals typically got their start in non-violent crime. Allowing non-violent criminals to purchase pistols gave them the chance to jump into violent crime. Still, the National Conference Commissioners on Uniform Laws approved the bill as the "Uniform Firearms Act," and it won an endorsement by the American Bar Association (ABA) in 1926.²⁹ The endorsement of the conference and the ABA gave the bill credibility it needed to be considered by state legislatures.

Karl Frederick pointed to this bill as proof of his support of gun control in hearings for the National Firearms Act, claiming it to be an effective piece of gun control legislation.³⁰ However, New York City Police Commissioner George McLaughlin called it a "compromise affair gotten up for the benefit of the manufacturers of firearms."³¹ In support of McLaughlin's assertion, the NRA tried to force a version of the Uniform Firearms Act through New York to repeal the Sullivan Law. This bill got as far as the desk of Governor Franklin Delano Roosevelt, nearly gutting New York's gun control efforts. The gun lobby succeeded, however, in pushing

²⁹ Charles V Imlay, "The Uniform Firearms Act," *American Bar Association Journal* 12, no. 11 (1926): 767–69. <http://www.jstor.org/stable/25709676>.

³⁰ *National Firearms Act*, 56.

³¹ Bakal, *The Right to Bear Arms*, 161.

versions of the watered-down bill through in 5 states.³² Given the importance of uniformity to the enforcement of gun control, the spread of these weak bills poked holes in the efforts of states who wished to enforce effective gun control. These states now acted as strongholds where individuals from states with comprehensive gun control could buy guns to bring across state lines. The timing and attempted implementation of the bill revealed it as an obvious ploy to defang and contain pistol legislation across the country.

With effective pistol legislation failing to take consistent hold throughout the states, the gun problem only grew. People were scared and, as a result, bought even more guns. New York Sullivan Law permits exploded from 8,000 in 1916 to 35,000 in 1922.³³ The federal government attempted to help enforce state laws by banning the U.S. Postal Service from shipping guns with the 1927 Miller Act. Despite their efforts, this law lacked any power. The act did not prohibit private express companies from shipping guns across state lines.³⁴ As such, individuals in states with gun control laws could still order pistols from other states. In the end, state laws failed to solve the 1920s' "Pistol Problem" due to a lack of consistency in severity amidst the states—thanks in part to the efforts of the gun lobby.³⁵

The gun problem peaked leading into the 1930s, with yearly gun deaths peaking at 15.4 per 100,000 in 1932.³⁶ Amidst the evident failures of states' efforts to crack down on crime and with the spirit of the New Deal, the federal government saw it necessary to finally act.³⁷ Gun control was one of the least controversial parts of this federal response, Roosevelt's New Deal on

³² Bakal, *The Right to Bear Arms*, 161; Anderson and Kennett, *The Gun in America*, 196-197.

³³ Anderson and Kennett, *The Gun in America*, 196.

³⁴ Leff and Leff, "Politics of Ineffectiveness," 52.

³⁵ *Ibid*, 49.

³⁶ Bakal, *The Right to Bear Arms*, 354.

³⁷ Franklin D. Roosevelt, "Address to the Attorney General's Crime Conference." Box 20, Franklin D. Roosevelt Master Speech File, 1898, 1910-1945, *FDR Library*, <http://www.fdrlibrary.marist.edu/archives/collections/franklin/index.php?p=collections/findingaid&id=582>.

Crime. Instead, most public aimed most of their backlash towards the rise of the Federal Bureau of Investigation.³⁸ In a speech to Attorney General Homer Cumming's crime conference for this issue, President Franklin Delano Roosevelt used the rise of the machine gun to pose law enforcement as outgunned by "better-equipped and better organized" criminals.³⁹ Media coverage of gruesome machine gun murderers such as Dillinger or Machine Gun Kelly drove home the narrative that nobody needed a machine gun and federal action was of dire need.⁴⁰ This coverage extended to the issue of organized criminals, commonly referred to as gangsters. Killings attributed to gangs horrified the nation, such as the St. Valentine's Day Massacre, where police found seven men executed by machine gun.⁴¹ The shock of these high-profile shootings demonstrated a desperate need for federal action and reform.

Roosevelt's campaign on crime successfully won support regarding gun control, especially among moral reformers of the time. By 1938, a Gallup poll showed that 79 percent of people supported the registration of all pistols and revolvers in the country.⁴² In their book *The Gun in America*, historians Lee Kennett and James L. Anderson attributed these results to a perceived "moral taint" in all firearms due to pacifist sentiments in the 1930s.⁴³ The federal government found further support in Women's Clubs. A *New York Herald Tribune* article titled "Women's Clubs Back U.S. War Against Crime" describes how the General Federation of Women's Clubs, representing two million women, supported preventing easy access of guns to gangsters.⁴⁴ Parents also supported these efforts, with a pair from the United Parents Association

³⁸ Leff and Leff, "Politics of Ineffectiveness," 53.

³⁹ Roosevelt, "Address to the Attorney General's Crime Conference."

⁴⁰ Robert Sherill, *The Saturday Night Special*. (New York: Charterhouse, 1973), 54-55; Anderson and Kennett, *The Gun in America*, 204.

⁴¹ Winkler, "Gangsters, Guns, and G-Men," 124.

⁴² Anderson and Kennett, *The Gun in America*, 213.

⁴³ Ibid.

⁴⁴ "Women's Clubs Back U. S. War Against Crime," Special to the Herald Tribune, *New York Herald Tribune* (1926-1962); May 27, 1934; ProQuest Historical Newspapers: New York Tribune / Herald Tribune,

of New York City detesting the immorality and dangers of guns in an issue of *Parents' Magazine*.⁴⁵ Both the general public and various organized groups had thrown their support behind gun control legislation, opening the door for federal legislative action.

Attorney General Cummings and the Justice Department moved forward against guns by introducing the National Firearms Act in 1934. Cummings intended to use Congress' interstate commerce and taxing powers to register and tax pistols, revolvers, "trick guns" (such as disguised umbrella guns), other concealable firearms, and machine guns. The bill's provisions required manufacturers, importers, and dealers of these specified guns to register with the Internal Revenue Service and pay a hefty yearly tax. This tax would cost manufacturers and importers 5,000 dollars and dealers 200. There would then be a 200-dollar tax on any transfer of machine guns or one dollar for the other guns listed, effectively making machine guns unattainable. To enforce the tax, Cummings required individuals to register and submit fingerprints. As such, the law would record each time these guns change hands and who has them, effectively creating a registry of firearms and their users. Such a database would heavily discourage firearms owners from providing dangerous individuals access to their weapons. Beyond taxes, the bill required individuals to acquire a permit before transporting any of these guns across state lines.⁴⁶ This element of the bill would reinforce gun laws throughout the country by making it illegal to out-manuever local gun control by buying guns in more relaxed states. In theory, this law would help register and track the most dangerous guns across America, deterring their use by criminals.

<https://www.proquest.com/docview/1114828155/D89C9EE726E6427CPQ/1?accountid=14553>, 18; Anderson and Kennett, *The Gun in America*, 211.

⁴⁵ "Parents' Magazine Vol 9 Iss 10." *Gruner & Jahr USA Publishing*, October, 1934. https://archive.org/details/sim_parents_1934-10_9_10/page/26/mode/2up. 27.

⁴⁶ *National Firearms Act*, 1-3; 11.

When critics suggested organized criminals would still have the means to acquire arms, Cummings acknowledged the bill might not prevent seasoned criminals from accessing them. He still saw the bill as a tool by which the law could efficiently convict gangsters with these guns before they could commit their crimes. Under the law, if the police caught a gangster with a firearm (who likely had not submitted the fingerprints required for a permit), they could then quickly arrest him for having an illegal firearm. The police would ordinarily need to find witnesses willing to testify against the gangsters, a difficult task, and tie them to a previously committed crime. This bill would instead allow them to prosecute gangsters with ease before their next shooting.⁴⁷ He further intended that in making these guns harder to acquire, the bill would prevent many from entering crime and becoming those seasoned criminals.⁴⁸ The law was by no means as powerful as New York's Sullivan Law; it did not possess the authority to deny any one citizen the right to own a gun. However, it looked to hinder future gunmen by adding taxes and steps identifying buyers to monitor guns.

Cummings initially intended to sneak the bill through committee behind the back of the gun lobby. Still, NRA allies in Congress managed to tip off the organization, which would invoke a storm of resistance.⁴⁹ First came the efforts to enrage their base against Congress and the bill. An issue of the NRA's *National Rifleman* magazine described the bill as the beginning of a national "disarmament by subterfuge," or the theft of the right to own any gun.⁵⁰ The organization called on its members via letter to encourage their congressmen to kill the bill, even lying about the bill's terms to whip up support. In reality, the bill rendered only machine guns inaccessible, yet the law would still permit those who could pay the large tax to acquire one. The

⁴⁷ Ibid, 9-10.

⁴⁸ Ibid, 92.

⁴⁹ Sherrill, *Saturday Night Special*, 59.

⁵⁰ "The American Rifleman Vol 82 Issue 5." *National Rifle Association*, May, 1934.
https://archive.org/details/sim_american-rifleman_1934-07_82_7/page/n5/mode/2up. 4.

NRA's letter claimed that the tax provisions would apply to all hunting rifles and shotguns when the language of the bill only mentioned shotguns or firearms made concealable with sawed-off barrels.⁵¹ By including these particular arms in their letter, the NRA knew they could bring maximum outrage by threatening the most prevalent groups of guns owned amongst sportsmen Americans. These efforts were not in vain, with members sending "a great many" letters over the coming months to committee members.⁵²

Karl Frederick, the president of the NRA himself, would come to testify before the committee and claimed he was in favor of regulation and against irresponsible firearm toting.⁵³ However, Senator Royal F. Copeland tried to get the NRA to state any effective gun control they were in favor of. In these negotiations, the organization would not accept anything "that might convenience the firearms fraternity in the slightest" as noted by historian Carl Bakal in his book *The Right to Bear Arms*.⁵⁴ Frederick demonstrates Bakal's assertion in his testimony. Similar to the modern-day NRA, Frederick would not even agree that guns are "inherently dangerous."⁵⁵ Much along the lines of the prevalent "good guy with a gun" argument, he testified that "if you destroy the effective opposition of [armed law-abiding citizens]... you are inevitably going to raise crime."⁵⁶ Karl Frederick's testimony demonstrated his resistance to any preventative gun control or laws not limited to criminals already convicted of violence. Despite the NRA's vehement claims around their commitment to sensical gun control laws, the testimony they offered opposed all policies aimed at preventing any new offenders from committing gun violence.

⁵¹ *National Firearms Act*, 129-132.

⁵² *Ibid*, 63.

⁵³ *Ibid*, 59.

⁵⁴ Bakal, *The Right to Bear Arms*, 173.

⁵⁵ *National Firearms Act*, 55.

⁵⁶ *Ibid*, 58.

While the NRA could not kill the National Firearms Act entirely, they successfully gutted the legislation. The most striking difference between the initial and final drafts was the removal of pistols and revolvers from the bill altogether.⁵⁷ This edit was detrimental to the bill's goals. Testimony before the committee described how "a thousand criminals will use pistols where one will use a machine gun."⁵⁸ Throughout the country, the pistol was recognized as the preferred weapon of most shooters, demonstrated by the pistol problem this essay described earlier that had yet to be resolved. The machine guns that the bill focused on were the weapons of choice for wealthy, organized mobsters. Created in 1920, the 'Tommy Gun' was one of the most infamous machine guns of the 1930s, known for its use by Al Capone's gang in the 1929 St. Valentine's Day Massacre. Despite its effectiveness in the criminal world, the weapon sold for 175 dollars, or 2000 current dollars. Such prices made these guns unattainable for the average depression-era criminal compared to the common pistol.⁵⁹ By taking pistols from the bill, Congress left a whole class of shooters untouched.

While the final bill still targeted machine guns, its language was not as broad as the first draft's. The NRA had redefined machine guns from weapons that could fire twelve or more shots automatically *or* semi-automatically without reloading to weapons that could fire multiple shots with one trigger pull.⁶⁰ While this expanded the bill's scope to guns that could shoot multiple rounds with one trigger pull with smaller capacities, it simultaneously excluded a larger group: high-capacity semi-automatic rifles. In the end, the use of machine guns by gangsters declined. Rather than submit fingerprint registration or risk apprehension with an unregistered machine

⁵⁷ U.S. Congress, House of Representatives, *Congressional Record—House*, 73rd Cong., 2nd Sess., June 13, 1934, 11398-11400, <https://www.congress.gov/bound-congressional-record/1934/06/13/78/house-section/article/11353-11426?q=%7B%22search%3A%5B%22pistol+regulation%22%5D%7D&s=1&r=1>, 11398-11400.

⁵⁸ *National Firearms Act*, 120.

⁵⁹ Winkler, "Gangsters, Guns, and G-Men," 123.

⁶⁰ *National Firearms Act*, 1; *Congressional Record—House*, 11399.

gun, gangsters chose to switch to equally deadly semi-automatic rifles and shotguns—untouched by federal or local license requirements.⁶¹ Even today, semi-automatic weapons have continued to prove their lethality considering their consistent utilization in mass shootings. While successful in limiting machine gun usage, the National Firearms Act failed to live up to its name in regulating all firearms.

Nevertheless, Attorney General Cummings and Senator Royal Copeland continued fighting to register all guns and their owners. Cummings intended the Federal Firearms Act of 1938 to prevent the interstate shipping of guns to felons and fugitives from justice. Looking to minimize the resistance that ruined the National Firearms Act, the Department of Justice and Senator Copeland would reach out to the NRA to compromise. These compromises would ultimately weaken the Federal Firearms Act even more than the National Firearms Act.⁶² The gun control advocates agreed to make a committee to draft the bill consisting of the staff of Copeland, representatives for the Justice Department, and the NRA.⁶³ Of the three parties, the NRA carried the most weight, with Copeland relenting to them “if it isn’t a good bill, it’s your fault.”⁶⁴ The NRA took advantage of this power and crafted the bill it wanted in line with its own goal of minimizing gun control.

What resulted was a bill that was only a fraction of what Cummings and Copeland intended. Universal registration of guns was out of the picture. Dealer licenses were notoriously easy to acquire. One only needed a dollar, a name, and an address (although the law provided no punishment for providing a fake name).⁶⁵ As a result, the IRS’s Alcohol and Tobacco Division, charged with enforcing the law, estimated two-thirds of the licenses were likely fraudulent.⁶⁶

⁶¹ Sherrill, *Saturday Night Special*, 61-62.

⁶² *Ibid*, 64.

⁶³ Leff and Leff, “Politics of Ineffectiveness, 55.”

⁶⁴ *Ibid*, 61.

⁶⁵ *Federal Firearms Act of 1938*. Public Law 75-785, U.S. Statute at Large 52 (1938): 1250-1251.

⁶⁶ Sherrill, *Saturday Night Special*, 65.

Furthermore, the law only prohibited these registered dealers from “knowingly” selling to offenders of violent crimes or fugitives. By requiring courts to prove dealers *knew* that they were selling to these individuals, the law gave them more than sufficient protection from the law.⁶⁷ By the point that the bill passed, Senator Copeland was looking to get any broad gun legislation he could through. The senator, reflecting on the bill’s failures, remarked it was better to get “half a loaf than none.”⁶⁸

The ineffective bill, while primarily drafted by the gun lobby (similar to the Uniform Firearms Act), was admittedly only an effort to head off future effective gun control. In May 1938, the month preceding the bill’s passage, the NRA proclaimed in *The National Rifleman* that “the passage of the measure would mean the death of the attorney general’s bills.”⁶⁹ While the NRA technically cooperated in creating this piece of gun control legislation, this passage confessed that their motives were not in advancing gun control. Rather, it was a ploy designed to kill Cummings’ plans of gun legislation through a show of force. The passage of the Federal Firearms Act of 1938 marked the end of federal gun legislation for decades until the 1960s, just as the NRA had intended.

Today, in the face of an even stronger NRA, many modern historians have suggested that the 1930s NRA was more sympathetic to gun control. One such example is Adam Winkler’s 2011 book, *Gunfight*, which considers the NRA’s support of gun control throughout the 1930s genuine. Looking at the passage of the Uniform Firearms Act and the National Firearms Act, Winkler suggests that while they “...did not support any and all gun control,” the NRA “...was behind a nationwide push for more restrictive gun control.”⁷⁰ Winkler’s book inspired articles in

⁶⁷ *Federal Firearms Act of 1938*.

⁶⁸ Bakal. *The Right to Bear Arms*, 178.

⁶⁹ Ibid.

⁷⁰ Winkler, “Gangsters, Guns, and G-Men, 134-135.

the *Washington Post* and *Time Magazine* that further pushed the narrative that during the interwar period, the NRA was supportive of gun control.⁷¹ Ryan Busse's book from 2021, also titled *Gunfight*, describes how the gun epidemic of the 1930s brought a consensus around gun control that resulted in effective laws.⁷² While machine gun use did decrease, that success is the exception of the period's efforts to regulate guns. The numerous failures of pistol and semi-automatic regulations better characterize this series of bills. To say the gun lobby used to accept gun control legislation is diminutive of the NRA's intensive efforts to kill these laws.

This resistance to the 1930s gun laws served as the foundation for the modern NRA. Their alarmist rhetoric and fight against the federal government propelled them into the political power they would enjoy throughout the rest of the century. From their threats of "disarmament by subterfuge" to their exaggerations of the National Firearms Act, the NRA intended to scare Americans into joining their organization and its self-proclaimed righteous fight to save America.⁷³ The association's use of their battles as a recruiting tool is further shown in a letter that called on NRA members to remember to convince "another good American to join the NRA" and its efforts in hijacking the Federal Firearms Act of 1938.⁷⁴ This recruitment operation, along with their previously mentioned culture-linked strategies, was a resounding success. The organization exploded from 3,500 members in the early 1920s to nearly 35,000 by the first hearings of the National Firearms Act hearings⁷⁵ before capping out at around 50,000 going into

⁷¹ Arica L. Coleman, "When the NRA Supported Gun Control," *Time*, July 31, 2016, time.com/4431356/nra-gun-control-history; Michael S. Rosenwald, "The NRA Once Believed in Gun Control and Had a Leader Who Pushed for it," *Washington Post*, February 22, 2018, www.washingtonpost.com/news/retropolis/wp/2017/10/05/the-forgotten-nra-leader-who-despised-the-promiscuous-toting-of-guns.

⁷² Ryan Busse, "Killers, Clingers, and Clintons" in *Gunfight: My Battle Against the Industry that Radicalized America*. (New York: Public Affairs, 2021), 55.

⁷³ "The American Rifleman Vol 82 Iss 5," 4; *National Firearms Act*, 129-132.

⁷⁴ Bakal. *The Right to Bear Arms*, 177.

⁷⁵ Leff and Leff, "Politics of Ineffectiveness, 60."

World War 2.⁷⁶ The massive resistance and intentional polarization of its members established the NRA as the leading voice in the gun lobby moving forward.

While it may be easy to entirely attribute the modern gun lobby's resolve to modern political polarization, there are deeper roots to this political powerhouse. In practice, the NRA of new and old have always had the same attitude towards gun control legislation. However, with the acceptance of the New Deal government and public outrage toward crime, the 1920s and 1930s represented a welcoming environment for gun control. With their backs against the wall, the NRA adopted a façade that claimed at face value to support gun control as its ticket to the negotiating table—from which it could destroy it. The efforts of the NRA paid off, severely limiting the effectiveness of all gun control efforts throughout the period. The NRA used these successes as a foundation to grow even more influential, winning the ability to resort to their blunt methods of today.

⁷⁶ Bakal. *The Right to Bear Arms*, 131.

Bibliography

- Bakal, Carl. *The Right to Bear Arms*. New York: The McGraw-Hill Book Company, 1966.
- Busse, Ryan. “Killers, Clingers, and Clintons” in *Gunfight: My Battle Against the Industry that Radicalized America*. New York: Public Affairs, 2021.
- Coleman, Arica L. “When the NRA Supported Gun Control,” *Time*, July 31, 2016, <https://time.com/4431356/nra-gun-control-history>.
- “Deaths Due to Injury by Firearms per 100,000 Populations.” KFF.org. Kaiser Family Foundation, Accessed April 14, 2023, <https://www.kff.org/other/state-indicator/firearms-death-rate-per-100000>.
- Edward F Roberts, “Why Does U.S. Lead the World in Crime,” *Los Angeles Times* (1923-1995); March 23, 1924; ProQuest Historical Newspapers: Los Angeles Times.
- Federal Firearms Act of 1938*. Public Law 75-785, U.S. Statute at Large 52 (1938): 1250-1251.
- Foss, Archibald C, “In the Gunman’s Favor.” *New York Tribune* (1911-1922); Mar 20, 1921; ProQuest, <https://www.proquest.com/docview/576347216/F31156A5D5949F8PQ/1?accountid=14553>.
- Imlay, Charles V. “The Uniform Firearms Act,” *American Bar Association Journal* 12, no. 11 (1926): 767–69. <https://www.jstor.org/stable/25709676>.
- Jay Mechling, “Boy Scouts, the National Rifle Association, and the Domestication of Rifle Shooting.” *American Studies* 53, no. 1 (2014): 5–25. <https://www.jstor.org/stable/24589296>.
- Jitney Abolition to be Considered in Council Today: Council is Expected to Ban Pistol Sales,” *The Atlanta Constitution* (1881-1945); January 19, 1925; ProQuest Historical Newspapers: The Atlanta Constitution, <https://www.proquest.com/docview/499399181/584590F0D63242D2PQ/1?accountid=14553>.
- Kennett, Lee, and James L Anderson, *The Gun in America*. Westport: Glenwood Press, 1975.
- Leff, Carol Skalnik, and Mark H. Leff. “The Politics of Ineffectiveness: Federal Firearms Legislation, 1919-38.” *The Annals of the American Academy of Political and Social Science* 455 (1981): 48–62. <https://www.jstor.org/stable/1044070>.
- National Firearms Act, Hearings before the Committee on ways and means, House of Representatives, Seventy-third Congress, second session, on H. R. 9066*. 56.

- Roosevelt, Franklin D. "Address to the Attorney General's Crime Conference." Box 20, Franklin D. Roosevelt Master Speech File, 1898, 1910-1945, *FDR Library*, <http://www.fdrlibrary.marist.edu/archives/collections/franklin/?p=collections/findingaid&id=582>.
- Rosenwald, Michael S. "The NRA Once Believed in Gun Control and Had a Leader Who Pushed for it," *Washington Post*, February 22, 2018, www.washingtonpost.com/news/retropolis/wp/2017/10/05/the-forgotten-nra-leader-who-despised-the-promiscuous-toting-of-guns.
- Sherill, Robert. *The Saturday Night Special*. New York: Charterhouse, 1973.
- U.S Congress. House of Representatives, *Congressional Record—House*, 73rd Cong., 2nd Sess., June 13, 1934, 11398-11400, <https://www.congress.gov/bound-congressional-record/1934/06/13/78/house-section/article/11353-11426?q=%7B%22search%3A%5B%22pistol+regulation%22%7D&s=1&r=1>, 11398-11400.
- Winkler, Adam. "Gangsters, Guns, and G-Men" in *Gunfight: The Battle Over the Right to Bear Arms in America*. New York: W. W. Norton & Company, 2011.
- "Negro Ministers Join in Crusade Against Pistol," *The Atlanta Constitution* (1881-1945); January 8, 1925; ProQuest Historical Newspapers: The Atlanta Constitution, <https://www.proquest.com/docview/499389996/A237692719124DC7PQ/1?accountid=14553>.
- "Parents' Magazine Vol 9 Iss 10." *Gruner & Jahr USA Publishing*, October, 1934. https://archive.org/details/sim_parents_1934-10_9_10/page/26/mode/2up, 27.
- "Pistol Toting," *Chicago Daily Tribune* (1872-1922); September 28, 1922; ProQuest, <https://www.proquest.com/docview/174986926/E449F3E251324AEDPQ/2?accountid=14553>.
- "The American Rifleman Vol 82 Issue 5." *National Rifle Association*, May, 1934. https://archive.org/details/sim_american-rifleman_1934-07-82-7/page/n5/mode/2up.
- "The Pistol Problem," *Los Angeles Times* (1923-1995); August 9, 1934; ProQuest Historical Newspapers: Los Angeles Times, <https://www.proquest.com/docview/163249475/D3EAFE7CE42447C4PQ/5?accountid=14553>.
- "Women's Clubs Back U. S. War Against Crime," Special to the Herald Tribune, *New York Herald Tribune* (1926-1962); May 27, 1934; ProQuest Historical Newspapers: New York Tribune / Herald Tribune, <https://www.proquest.com/docview/1114828155/D89C9EE726E6427CPQ/1?accountid=14553>.

“Semblance of a Sabbath”: The Complex Relationship of Christianity and Slavery in the British Empire

Grace Burrus - University of Illinois Urbana-Champaign

In the world’s largest empire, the sun is said to never set. In the peak of the British Empire’s power, wealth and opportunities for Britons in the expansive empire were plentiful. The entirety of the British Empire’s history, from rise to fall, lasted more than two centuries and is filled with triumphs and failures in a multitude of fields, none more so than slavery. At the height of the British Empire, the institution of slavery was a disturbing cornerstone in the economic practices of the metropole and auxiliaries. The study of the British Empire, from sunrise to sunset, is important to understanding global history and the institution of slavery.

In the British Empire, Christianity molded and shaped the everyday lives of Britons. This paper will analyze the intricate relationship between Christianity and the institution of slavery in the British West Indies, through the utilization of media, “civilizing missions,” and political decisions prior to and during the emancipation period in the empire. Through in-depth analysis of the aforementioned sources, it can be determined that Christianity and Christian morals shaped the institution of slavery in the British West Indies by defining clear categories of racial hierarchy.

The British Empire has an extensive history, beginning in the 16th century and economically flourished until the mid-twentieth century. The British Empire expanded exponentially through the establishment of trading posts and settler colonies throughout the West Indies, South Pacific, Africa, North America, Australia, and in the Indian subcontinent. Phillipa Levine defines the British Empire prior to the development of lasting settler and plantation

colonies in her work *The British Empire: Sunrise to Sunset*. She states “The British Empire before the mid-seventeenth century was a highly local affair, and overseas activity was concentrated mostly on trading and exploration.”¹ As external trading became increasingly vital to the British economy, lasting settler colonies in the West Indies, South Pacific, Australia, Africa, North America, and the Indian subcontinent became a cornerstone of the empire’s identity.

Colonies in the British Empire opened the door for not only crop, textile, and mineral trades, but also the introduction of slave trade in the empire. Slave trade from Africa to the British colonies in the West Indies and North America became integral to the economic functioning of the empire. According to the British National Archives, “Between 1640 and 1807 it is estimated that Britain transported 3.1 million Africans to the British colonies in the Caribbean, North and South America, and to other countries.”² The British National Archives notes the year 1807 as the last year of transatlantic slave trade in the empire, referencing Parliament’s bill titled, “An Act for the Abolition of the Slave Trade,” passed in the same year. Although the business of the slave trade had ended in the empire, slavery was still an institution deeply involved in the economic practices of the empire until 1833. Slave trade from Africa to the Caribbean, as well as the institution of slavery, gave way to the flourishing of the plantation system in the British West Indies, and other locations in the extensive empire.

The settler colonies in the British West Indies became a crucial part of the British economy in the metropole because of the exportation of sugar back to Britain. Plantation owners in the British West Indies were a cornerstone of the economic practices due to the reliability of

¹ Phillipa Levine, *The British Empire: Sunrise to Sunset*, 3rd Edition, (New York: Routledge, 2020), 1.

² “Slavery and the British transatlantic slave trade,” The National Archives, accessed April 30, 2023, <https://www.nationalarchives.gov.uk/help-with-your-research/research-guides/british-transatlantic-slave-trade-record/#:~:text=Britain%20was%20the%20most%20dominant,America%20and%20to%20other%20countries.>

the sugar market in the metropole. As settlements in the British West Indies began to grow, an influx of Britons moved to the islands in search of wealth, opportunity, and social capital. When Britons moved to the West Indies and other parts of the empire, they brought their values, religious practices, social guidelines, morals, and everything else that is “essentially British”.³ The manifestation of British character and social ideologies in the West Indies also meant that Britons also brought with them their ideas about social hierarchy; with the institution of slavery thriving in the “plantocracy” of the West Indies, clear racial divides and hierarchies developed that would fester through the proto-Emancipation and Emancipation period.⁴

In the late-eighteenth century, the beginnings of the emancipation period began to form in the British Empire. Historians have noted that the beginning of the anti-slavery movement can be in-part attributed to the Christian revival in the metropole around the same time. Since Christian morality was at the forefront of many Britons’ minds, citizens in the metropole began to speak out against the institution of slavery in the empire due to the ideas presented in Christian texts. Key individuals like Thomas Clarkson, William Wilberforce, and many others began writing essays and newspapers to speak on the abolition movement in the late-eighteenth century.⁵ With this anti-slavery work in the metropole, more newspapers began to form that focused solely on the issue of the institution of slavery, as well as the abolishment of slavery in the British West Indies. In the West Indies, slave revolts and uprisings had been happening more frequently leading into the 1820s. It was not until 1833 when the House of Commons passed the bill titled, “An Act for the Abolition of Slavery throughout the British Colonies.” Although this bill was

³ Stephen Conway, “Introduction,” in *Britannia’s Auxiliaries: Continental Europeans and the British Empire, 1740 – 1800* (Oxford: Oxford University Press, 2017), 19.

⁴ Michael Craton, “Slavery and Slave Society in the British Caribbean,” in *Empire, Enslavement, and Freedom in the Caribbean*, (Jamaica: Ian Randle Publishers, 1997), 150.

⁵ Craton, *Empire, Enslavement and Freedom in the Caribbean*, 265.

passed, it was not until 1838 that many slaves in the British West Indies were finally emancipated legally.

Historians have studied the British Empire from many different angles and vantage points not only in the current century, but previous centuries as well; in the subject of the emancipation period and the transatlantic slave trade, the historiography is extensive. For this study, a selection of historical works has been collected and analyzed to create the argument about the complex relationship of Christianity and slavery in the British Empire. Catherine Hall's *Civilizing Subjects: Metropole and Colony in the English Imagination 1830 – 1867*, is a study of the missionary groups in the British West Indies and Australia. Her study “argues that the idea of empire was at the heart of mid-nineteenth-century British self-imagining, with peoples such as the ‘Aborigines’ in Australia and the ‘negroes’ in Jamaica serving as markets of difference separating ‘civilized’ English from ‘savage’ others.”⁶ Throughout her work, Hall delves deeply into the history of the ‘us versus them’ mentality held by many Britons through the case studies of missionary groups, like the Baptist Missionary Society (BMS), by analyzing the ‘civilizing missions’ the missionary groups originally set out to do in the West Indies. Furthermore, Hall also analyzes the intricacies in Jamaica concerning the tumultuous relationship between plantation owners and missionaries over the political issue of abolition.

Although Hall's work skillfully analyzes the solidified racial hierarchies in Jamaica that were further defined through the ‘civilizing missions’ by missionaries, she does not distinctly correlate Christianity as a factor of racial hierarchies illustrated during the abolition movement. Hall focuses her work primarily on using Christianity as a method of moving British morals and social ideologies to Jamaica, rather than questioning if Christianity and slavery had a more

⁶ Catherine Hall, *Civilizing Subjects: Metropole and Colony in the English Imagination, 1830-1867*, (Chicago: The University of Chicago Press, 2002), back cover.

intricate relationship than just a modality of movement. Indeed, Hall's work provided a more direct study of what this paper is analyzing and arguing about the relationship between Christianity and slavery in the British Empire.

Michael Craton's *Empire, Enslavement, and Freedom in the Caribbean* is another study that analyzes the abolition movement in the British West Indies. Craton's book is a collection of his own essays, spanning forty years of studying the West Indies. Although "[the] collection cannot claim to be a comprehensive text," the essays cover a wide range of topics from imperialism, colonialism, economic determinism, 'plantocracy,' abolition, and many others.⁷ Craton's collection is known as "one of the few single-authored collections of exclusive historical essays pertaining to the Caribbean."⁸ Craton's work focuses on three thematic umbrellas, which is noted in the collection throughout. The first theme is colonization and imperialism, where many of the essays centered around the political ideologies and decisions made in the metropole and in the West Indies.⁹ The second theme is slave trade, slavery, and slave society; economic system of slave trade, culture in the West Indies in slave societies, and transatlantic slavery.¹⁰ The third theme is transformations and continuities, and the essays in this section are centered around abolition, emancipation, and revolts throughout the British Empire.¹¹ For the purpose of this paper, *Empire, Enslavement, and Freedom in the Caribbean* is a work that provided a great starting point for secondary research because of the focus of the topics and the extensive amount of writings in the collection.

Comparatively, *Caribbean Exchanges: Slavery and the Transformation of English Society, 1640-1700* by Susan Dwyer Amussen is a book that provides historical context for this

⁷ Craton, *Empire, Enslavement and Freedom in the Caribbean*, xiii.

⁸ Craton, *Empire, Enslavement and Freedom in the Caribbean*, dust jacket.

⁹ Craton, *Empire, Enslavement and Freedom in the Caribbean*, contents.

¹⁰ Craton, *Empire, Enslavement and Freedom in the Caribbean*, contents.

¹¹ Craton, *Empire, Enslavement and Freedom in the Caribbean*, contents.

paper. Amussen's historical work focuses on the English moving into the West Indies, as well as the cementing of the transatlantic slave trade and plantation societal system in the late 15th and 16th centuries. *Caribbean Exchanges* provided insight into the original movement towards the West Indies, as well as what the economic goals and gains were for the British Empire at the turn of the 16th century. Through eight chapters, Amussen explores what the beginning process and transition from exploration to exploitation of goods looked like for the empire, as well as poses the question of what the goals did to the land and people living in the West Indies prior to British contact. Although *Caribbean Exchanges: Slavery and the Transformation of English Society, 1640 – 1700* is outside of the periodization of this paper, Amussen's work provided historical context for the beginning framework for this study.

Through the secondary source analysis for this study, many differences arose between what will be analyzed in this paper versus the aforementioned sources. Firstly, this study is analyzing the intricacies and complexities of the relationship between Christianity, Christian morals, and the institution of slavery in the British West Indies. None of the sources mentioned prior have looked at the relationship from an aerial view, rather, the sources focus on different examples or utilize other lenses entirely. For example, Hall's *Civilizing Subjects* utilizes examples of missionary groups' migration to the West Indies to explain how religion and religious values influenced the West Indies and the metropole from a singular vantage point. Hall does not look at the larger institutions of Christianity and slavery, rather, she focuses on the social and political implications for the examples she presents in her work in conjunction to slavery and abolition. Craton's work, on the other hand, focuses on the economic and political implications of slavery in the West Indies and the metropole. Craton's work does not focus on Christianity overall, rather he chooses to analyze the institution of slavery and the abolition

movement from a different vantage point. Finally, Susan Dwyer Amussen's work is outside of the periodization of this paper's bounds. Amussen, although providing historical context, does not touch on the abolition movement, but does touch on Christianity in the British Empire. This paper will analyze the institution of slavery in the proto-Emancipation and Emancipation period in conjunction with Christian morals and Christianity in the West Indies.

In the mid-eighteenth century, a Christian revival had swept through the British Empire. This revival of practicing Christianity, not just being a nominal Christian, infiltrated the institution of slavery in the far-reaching empire. Prior to the Great Awakening, missionary work in the British West Indies was practically nonexistent; however, in the 1780s, nonconformist missionary groups began flocking to the West Indies. It is important to note that the missionaries in many cases did not go to the islands on their own accord, rather, "[they were] first invited by the planters in the expectation that they would have [a] socializing or 'civilizing' function."¹² Missionaries from the late 18th century into the nineteenth century were primarily Baptists, Moravians, Methodists, and Congregationalists with English slaves excluded and were not actively proselytized from the beginning, the Anglican Church, since its establishment, was often viewed mainly for whites."¹³ Although the religious affiliation of the missionary groups may appear to be a small detail, the exclusion of the enslaved population from the Anglican Church is an example of harsher racial hierarchical lines in the West Indies. By excluding the enslaved population from the largest sect of Christianity in the British Empire, it allows for white Britons to continue to perpetuate an 'us versus them' mentality.

Even though it may seem that the Anglican Church was the only form of religious exclusion in the West Indies, congregations themselves had cemented pre-existing racial

¹² Craton, *Empire, Enslavement and Freedom in the Caribbean*, 154.

¹³ Craton, *Empire, Enslavement, and Freedom in the Caribbean*, 154.

hierarchies in other ways as well. According to *Civilizing Subjects*, Hall writes, “each congregation was divided into classes,” which was a tactic used by the Baptist Missionary Society (BMS), as well as other missionary organizations to maintain the racial hierarchies on the island.¹⁴ Hall later notes that the churches built by missionary groups served as another “place of belonging, a source of identity, [and] a social life,” outside of the plantations.¹⁵ The building of these churches would become the foundation for missionary groups to slowly transition from a ‘civilizing mission’ to a mission with a focus on conversion to Christianity and education.

It is unclear in the historical record if missionary groups ever fully transitioned from ‘civilizing missions’ to a proselytizing and educational missions. The Baptist Missionary Society (BMS), founded in 1814, was one of the missionary groups that went to the West Indies for the purpose of education and proselytization. The BMS specifically sent its missionaries to Jamaica, where they built churches and educated the enslaved population on the island. In the nineteenth century, missionary groups started to transition to a conversion mission, because missionaries sensed a need for Christianity among the enslaved population on the island. The validity of an apparent need for the Christian faith among the enslaved population is contested among historians because of the preexisting religion slaves were already practicing. The blatant disregard for the preexisting religious and cultural practices of the enslaved population is another example of the ‘us versus them’ mentality Britons held. The denial of culture and religious practices of slaves led to the alarming rate at which conversions happened in the West Indies during the influx of mission groups in the West Indies. Disregarding the culture and religious

¹⁴ Catherine Hall, “The Baptist Missionary Society and the missionary project” in *Civilizing Subjects: Metropole and Colony in the English Imagination 1830-1867*, (Chicago: The University of Chicago Press, 2002), 97.

¹⁵ Catherine Hall, “The Baptist Missionary Society and the missionary project” in *Civilizing Subjects: Metropole and Colony in the English Imagination 1830-1867*, 97.

practices of slaves in Jamaica, in conjunction with an alarming rate of conversions to Christianity, perpetuated the ideology of British superiority.

The education of the slave population was almost as important as the conversion to Christianity to many missionary groups. Education, in this sense, was not reading, writing, and arithmetic; rather, education on the Christian faith. In an article published by *The Anti-Slavery Monthly Reporter*, the unnamed author writes, “[these societies] undertake the task of converting, instructing, and educating, [these] people.”¹⁶ With the influx of Christian conversions of the enslaved population on the island of Jamaica, missionaries fought for a new law to be put into place to give enslaved people a specific time to learn about the Christian faith. Although laws had been passed in the mid-fifteenth century about the Sabbath in order to control slaves’ behavior, newer laws were passed in the eighteenth and nineteenth centuries that were marketed as laws that would grant slaves the right to participate in the Sabbath, as well as time to work on their own plots of land. However, in practice, these laws were not followed and perpetuated the control of how the enslaved population spent the little time they had outside of the plantation. The lack of civilian implementation of these laws continued to keep the enslaved population in Jamaica in a lower social status hierarchically on the island. While laws, plantation owners, and missionaries were simultaneously cementing the racial hierarchies in the West Indies in the late-eighteenth century and early nineteenth century, the abolitionist movement in the metropole was beginning to form.

At the same time as the missionary influx to the West Indies, a proto-abolition movement began to form in the metropole in the late-eighteenth century. With abolitionist writers like Thomas Clarkson and artists like Josiah Wedgwood producing media for the masses to make

¹⁶ “The Want of a Christian Sabbath for the Slaves,” in *The Anti-Slavery Monthly Reporter*, October, 1828, <https://www.proquest.com/britishperiodicals/docview/2978990/abstract/430AE07A2AE14C7CPO/2?accountid=14553>, 312.

commentary on the abolition movement, the ball had been put into motion for a movement that would persist through the mid-nineteenth century. Magazines like *The Universal Magazine* began publishing articles pertaining to the abolitionist movement at the turn of the 1800s. In one article published by *The Universal Magazine*, titled “Important Observations on the Commerce of Slaves,” the author writes, “To purchase any living creature to abuse it afterward, is certainly both bane and criminal; and the crime becomes still of a deeper dye, when our fellow creatures come to be the sufferers.”¹⁷ This specific article was published in an issue from December 1790, seventeen years prior to the 1807 “Act for the Abolition of the Slave Trade” was passed by Parliament. It is clear to see that the author sided with the abolition movement, seeing as *The Universal Magazine* was a magazine published for the upper-class in the metropole to read. It is important to note that *The Universal Magazine* was not published outside of the metropole, which highlights the juxtaposed timelines of the abolition movement in the metropole compared to the West Indies.

Although *The Universal Magazine* was one of the first magazines to publish such an article, books, essays, pamphlets, art, and more were being published prior to the turn of the nineteenth century. The abolition movement began in the media prior to the 1807 law barring the importation of slaves from Africa. At the turn of the nineteenth century, the abolitionist movement began to pick up traction within the metropole. Newer newspapers, like *The Anti-Slavery Monthly Reporter*, began to publish works specifically about the abolition movement within the empire. *The Anti-Slavery Monthly Reporter* was one of the most prominent anti-slavery newspapers to be published in the metropole. The newspaper focused mainly on the

¹⁷ “Important Observations on the Commerce in Slaves,” in *The Universal Magazine of Knowledge and Pleasure*, December, 1790, <https://www.proquest.com/britishperiodicals/docview/5903579/CCCC1C34AD5B4DCCPO/3?accountid=14553&imgSeq=2>, 276.

struggle for emancipation in the British West Indies and featured interviews of people like reverends and missionaries who lived in the West Indies and had migrated back to the metropole. The magazine employed Christian morals and the faith as a form of ethos to persuade its readers to join the fight for emancipation in the West Indies and other colonies of the expansive British Empire. In an article titled “Testimony of Reverend J.M. Trew on Colonial Slavery,” the author writes:

The principle with which missionaries set out, was to exclude from church membership every individual whose manner of life was not strictly conformable to the Christian rule. The negro must have dissolved every illegitimate connexion, an evidence of the sincerity with which he embraced the Christian faith, before the missionary would openly acknowledge and receive him into full communion. And such was the effect produced by this wholesome discipline, that in a very little time the tone of morality was so raised among the slave population.¹⁸

The quote above is highlighting what the Reverend believed that conversion of the slave population was doing for slaves. This statement clearly disregards the moral standards that the enslaved population was previously practicing. The statement also portrayed Christian missionaries as saviors to the enslaved population. The underlying message of this statement is that the enslaved population needed to be Christianized in order to be civilized. Unfortunately, this is another way in which the racial hierarchies were hardened in the West Indies and in the metropole.

Through the interviews included in *The Anti-Slavery Monthly Reporter*, it can also be determined that the writers attacked the laws in the West Indies that pertained to respecting the Sabbath for the enslaved population. Furthermore, the magazine provided commentary on the

¹⁸ “Testimony of Reverend J. M. Trew on Colonial Slavery,” in *The Anti-Slavery Monthly Reporter*, February 15, 1831, <https://www.proquest.com/britishperiodicals/docview/2976531/C279FB9941F444C9PQ/6?accountid=14553&imgSeq=2>, 112.

realities of Christian churches in the West Indies. For example, in an article titled “Testimony of Reverend J.M. Trew on Colonial Slavery,” the Reverend states,

Thus the Negro has the semblance of a Sabbath; but it is such a Sabbath, as leaves him no other alternative but either to labor his grounds on that day, or starve; such as Sabbath as his master may deprive him of, under the pretext of repaying him with another day...such a Sabbath, as, even when spent to the best advantage, leaves him but a partial share of the blessings which it was designed to convey.¹⁹

The Reverend in this statement is highlighting the reality of the Sabbath in the West Indies for the slave population; the “Jamaica Slave Law”, which was the law that granted the enslaved population a Sabbath, as well as two days a month to work on their own plots of land.²⁰ In reality, this law was not put into practice, and became a point of contention for missionaries and clergy that were fighting for the abolition movement in the West Indies in the nineteenth century.

Without the civilian participation in abiding by the “Jamaica Slave Law”, the enslaved population was left without regulated time in which they could work on their own land. If they could not work on their own land, then they were left with little means to support themselves and their families with food throughout the calendar year. Due to these facts, missionaries and clergy members contested the absence of a law that provided the enslaved population with the right to grow their own food on their own time, as well as participate in the Sabbath.

The transition from missionaries being removed from the abolitionist movement to becoming an integral part of the movement in the West Indies was progressing rapidly, which can be tracked through the historical record and media reports from the time. The growth of the involvement of missionaries became apparent through the writings that were published at the peak of *The Anti-Slavery Monthly Reporter*; as well as actions they took in the West Indies and

¹⁹ “Testimony of Reverend J. M. Trew on Colonial Slavery,” in *The Anti-Slavery Monthly Reporter*, February 15, 1831, <https://www.proquest.com/britishperiodicals/docview/2976531/C279FB9941F444C9PQ/6?accountid=14553&imgSeq=2>, 114.

²⁰ “Testimony of Reverend J. M. Trew on Colonial Slavery,” in *The Anti-Slavery Monthly Reporter*, February 15, 1831, 114.

the metropole. As the shift for missionaries becoming abolitionists and advocates for the emancipation movement continued, many missionaries who went back to the metropole began to speak out about the injustices that were happening in the West Indies. Through participating in interviews, like Rev. J.M. Trew, or writing to Parliament, activism became an integral part of missionaries' lives. At the height of the emancipation movement in the 1820s, before the 1833 Abolition of Slavery Act, former missionaries became one of the largest groups of abolitionists in the metropole.

In the West Indies, education and conversion continued to occur at alarming rates, and many missionaries began to speak about emancipation in the congregations. Speaking openly about abolition in the congregations angered two groups, plantation owners in the West Indies and leaders of missionary societies back in the metropole. As noted by Michael Craton in *Empire, Enslavement, and Freedom in the Caribbean*, "missionary societies carefully instructed their ministers not to engage in politics or upset the social order."²¹ However, many ministers changed their minds about slavery once landing in Jamaica and other islands in the British West Indies. Plantation owners, on the other hand, were angered by missionary alliances with the enslaved population because they believed that education and conversions would lead to unrest among the enslaved population. The plantation owners, who were enraged by the alliance between missionaries and enslaved peoples, did not stop the revolts that had already been happening in the British West Indies. Uprisings by the enslaved population in 1816, 1823, and 1831-32, are all examples of an emancipation movement by enslaved people prior to any form of legal action in regard to the abolition of slavery. In many of these uprisings, missionaries stood with the enslaved population and fought against the institution of slavery. These uprisings

²¹ Michael Craton, "Slavery and Slave Society in the British Caribbean," in *Empire, Enslavement, and Freedom in the Caribbean*, (Jamaica: Ian Randle Publishers, 1997), 270.

exemplify that enslaved people were never going to be satisfied in the system they were forced into and that change was going to need to happen in order for peace to be restored in the West Indies.

As news spread to the metropole about the unrest in the West Indies, Parliament began to meet to discuss possibilities for emancipation, or other solutions that would maintain the social order and institution of slavery. Parliament was met with an overwhelmingly large movement for emancipation in the metropole by civilians and even a few members of Parliament. So, in 1833, the Abolition of the Institution of Slavery Act was passed by the House of Commons. Although this bill is a sign of progress for the empire; it is important to note that the abolition of slavery was a slow moving process throughout the expansive empire. The milestone of the signing of the Abolition of the Institution of Slavery Act (1833) took time to be implemented in places such as Jamaica, for example, that did not completely abolish slavery until 1838. Even though the bill was a move forward in the empire, clearly defined lines of racial hierarchy had been cemented into the fabric of British society decades prior. Without slave uprisings in the West Indies, it is hard to know if the institution of slavery would have perpetuated for a longer span of time in the empire, especially in the West Indies.

It would be wrong to argue that the Emancipation movement happened solely because of media in the metropole and missionaries allying themselves with enslaved populations in the British West Indies. Saying that slavery ended because of the help of white missionaries would be a gross misstep. The Emancipation movement and abolition of the institution of slavery was already set in motion by the enslaved population on the islands, seeing as they were never satisfied with their forced place in society. Mobility towards emancipation by the enslaved population was a crucial cornerstone to the enslaved population emancipating themselves. It is

important to remember that even though Christian missionaries were important allies in the West Indies, they still perpetuated concrete racial hierarchies that existed in the empire long before their mission began. The racial hierarchies in the British Empire were mobilized by Christian missionary groups, and so although missionaries were aligned with the emancipation movement, they may have potentially harmed the emerging and newly free black population when it came to finding work and academic education. In the metropole, media helped the Emancipation movement gain traction with a variety of social classes and made the cause a part of people's everyday lives. The Emancipation movement did not happen solely because of media exposure in the metropole; rather, through a variety of people working towards the common goal of emancipating the enslaved population in the British Empire.

Understanding the broader implications of the institution of slavery in the British Empire is a complicated task, seeing as many factors built, established, and perpetuated the institution. The revival of Christianity in the late-eighteenth century shaped the moral codes of Britons across the empire and caused an enormous influx of missionary groups to the West Indies. With missionaries bringing over their Christian morals, it gave the opportunity for Christianity to be used as a method of colonization and exclusion of the enslaved population in the West Indies. Even though missionaries eventually became allies to the emancipation movement, the hand missionaries played in the solidification of the racial hierarchy in the empire was immeasurable. Although missionaries became a part of the abolition movement and actively participated in uprisings orchestrated by enslaved people, the ideologies and racial hierarchy they helped solidify in the West Indies stunted the potential that the future of the free black population would have in the coming decades. With newer programs, such as the apprenticeship program, to discrimination in education, medical care, politics, religion, and society, the impact that

missionaries had on the free black population would still progress in future decades, which are outside of the bounds of this paper. It is clear to see that the intricacies of the relationship between the institutions of Christianity and slavery caused insurmountable damage and furthering the divide between the racial hierarchy in the empire.

Bibliography

- Conway, Stephen. *Britannia's Auxiliaries: Continental Europeans and the British Empire, 1740 – 1800*. Oxford: Oxford University Press, 2017.
- Craton, Michael. *Empire, Enslavement and Freedom in the Caribbean*. Jamaica: Ian Randle Publishers, 1997.
- Hall, Catherine. *Civilizing Subjects: Metropole and Colony in the English Imagination, 1830 – 1867*. Chicago: The University of Chicago Press, 2002.
- “Important Observations on the Commerce in Slaves.” *The Universal Magazine of Knowledge and Pleasure*, December, 1790.
- “Influence of Christianity in Effecting the Abolition of Slavery.” *The Anti-Slavery Monthly Reporter*. October, 1830.
- “Intelligence from Jamaica.” *The Anti-Slavery Monthly Reporter*. July 6, 1833.
- Levine, Phillipa. *The British Empire: Sunrise to Sunset*. 3rd ed. New York: Routledge, 2020.
- “Slavery and the British Transatlantic Slave Trade,” Accessed April 30, 2023, The National Archives.
- “State of Religion among the Slaves in the West Indies.” *The Anti-Slavery Monthly Reporter*. October, 1828.
- “Testimony of Reverend J. M. Trew on Colonial Slavery.” *The Anti-Slavery Monthly Reporter*. February 15, 1831.
- “The Want of a Christian Sabbath for the Slaves.” *The Anti-Slavery Monthly Reporter*, October, 1828.